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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, January 6, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
January 6, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by City Clerk, James D. Blair

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

Judge Beverly Nettles-Nickerson of 54-A District Court administered the oath of office to Councilmembers-elect Ellen Beal, Tony Benavides, Robert Brockwell, and Mark Canady

RESOLUTION #001
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Section 3-102 of the City Charter requires the City Council to organize each year at its first regularly scheduled meeting in January by selecting a President and Vice President to each serve a one-year term;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby selects James E. Crawford to serve as President during calendar year 1992; and

BE IT FURTHER RESOLVED the City Council hereby selects Mark H. Canady to serve as Vice-President during calendar year 1992.

By Councilmember Schmidt

Carried unanimously

MINUTES

By Councilmember Benavides

To approve the printed Council Proceedings of November 25, December 2, and December 9, 1991

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt, Committee Report from the Committee on Public Safety denying citizens request for traffic control for southbound traffic at the intersection of Kaynorth and Latham

2/ From Councilmember Ford resolution of denial on claim appeal

of Mr. and Mrs. Andrija Susnjar

3/ From Councilmember Belen resolution defining and naming 1992 Standing Committees

4/ From Councilmember Belen a request that Item XII B, resolution of tribute to late Councilmember Malcolm Milks be moved up for presentation immediately following the consideration of late items

5/ From Councilmember Schmidt a letter from Mrs. Richard K. Norris of 6347 Sommerset Rd regarding the proposed cat ordinance

Carried unanimously

Councilmember Belen presented a resolution of tribute to Ms. June Milks honoring her husband, former Councilmember Malcolm Milks. Mrs. Milks accepted on behalf of her late husband and thanked Council.

SCHEDULED PUBLIC HEARINGS

A. In Consideration of establishing an Industrial Development District for Louis Padnos Iron & Metal Company Summit Division at 1900 W. Willow

There were no speakers for this public hearing

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke regarding the denial of citizen requested traffic control measures. He said that the orders, if granted, would probably help improve the quality of life in these neighborhoods. He stated that there are traffic lights, such as the one at the corner of Washington and Baker Streets, that are obsolete, no longer needed, and should be rescinded.

SPECIAL CEREMONIES

Congressman Howard Wolpe addressed the meeting regarding the economic and social crises facing the country today. He said the social crisis is a result of the economic crisis which has been building for a decade or more. The middle income bracket has been the hardest hit. He quoted statistics that show a 21% increase in poverty since 1970. He indicated that there is room for optimism based on the end of the cold war and the re-entry of citizenry into the political system. He suggested that monies previously spent on the defense of Europe be directed to rebuilding the USA. He endorsed the idea of a tax cut to middle income individuals, but cautioned that tax cuts alone will not solve the basic problems. Consumers, he said, need to focus more on long term investment rather than on consuming. He said that he expects to see more flexible allocation of federal funds to states for transportation, mass transit, and infrastructure needs. He would support a national health care package to provide medical coverage to individuals not covered by private insurance, or medicaid/medicare. He said

Congress is trying very seriously to understand the pros and cons of the health care issue before moving ahead with legislation.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and the proper referrals made by Council President Crawford

Carried unanimously

A. Letter from residents of 4000 Clayborn Rd. regarding problems with junk cars and trash on the property next door to them

REFERRED TO THE MAYOR

B. Letter from the Charter Township of Meridian notifying the City and all parties associated with the Tri-County Metro Narcotic Squad that they will withdraw their officer and equipment from the Unit by midnight on January 17, 1992

REFERRED TO THE MAYOR AND THE COMMITTEES ON PUBLIC SAFETY AND INTERGOVERNMENTAL RELATIONS

C. Letter from Pete Nelson of P.O. Box 16313 requesting identification of a City Ordinance

REFERRED TO THE CITY ATTORNEY

D. Claim appeal from Makzum Hassouna of 10070 Pollard Rd., Haslett for his properties at 604 Helen St. and 729 E. Shiawassee

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

E. Claim appeal from Hamid R. Khorrami of 304 S. Mifflin St. for special assessments against his property at 917 W. Lapeer

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

F. Letter from the attorney for Ms. Keri Ann Wickerham, no address given, regarding an accident she experienced while walking on the pedway from the Radisson Hotel to the Lansing Center

REFERRED TO THE CITY ATTORNEY

G. Letter from Tri County Regional Planning Commission of 913 W. Holmes Road regarding Lansing's representation on the TCRPC

REFERRED TO COUNCIL PRESIDENT

H. Letter from Ingham Intermediate School District regarding their intent to collect 1992 Summer Taxes

REFERRED TO THE MAYOR

I. Letter from Harold Leeman of 529 N. Francis regarding the appointment of Rudy Reyes to the Cable Advisory Board

REFERRED TO THE MAYOR

J. Requests for preliminary plats for Coachlight Estates #2 and #3 from Stephens Consulting

REFERRED TO THE MAYOR AND THE PLANNING BOARD

K. Letter from outside City Auditors submitting financial statements and management letter for the Lansing Housing Commission for

the year ended June 30, 1991

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

L. Copies of three letters to City Employees from Lloyd Teets of 116 E. Elm St.

RECEIVED AND PLACED ON FILE

M. Notices from the Michigan Department of Natural Resources regarding:

1. The City of Lansing applying for a permit to widen the bridge at the Jolly Rd. crossing of Sycamore Creek and to place fill in the floodplains/ wetlands

2. Permit issued to Wolverine Towers Inc. of Michigan Avenue to construct a building and communications tower within the floodplain of the Red Cedar River

REFERRED TO THE MAYOR

N. Letter from the Michigan Department of Commerce Liquor Control Commission of the loss of 2 full year liquor licenses for the City of Lansing due to a decrease in population

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

O. Notice from the State of Michigan Department of Social Services of the closing of a Foster Family Group Home for Children at 3235 Sheffer Ave.

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane outlined his letters on tonight's agenda: #1 Public Improvement I, #2 letter of appreciation from Fabulous Acres neighborhood to Code Compliance Officer Jim McCue, and #3 Comprehensive Housing Affordability Strategy approval by HUD for 1992.

CITY OFFICER AND BOARD REPORTS

A. Letter from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #002

January 2, 1991

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: James Robert Brenz

PUBLIC DRIVER: Michael D. Reed, Alan R. Lelonek, Jerry Lynn Washburn, William McDonald, Donna Marie Gale, Kenneth Alan LaViolette

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

JANUARY 6, 1992

COUNCIL PROCEEDING

3

By Councilmember Belen

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of December 16, 1991 for Review

2. Letter from the City Clerk regarding "Sunsetting" of Ordinances for 1992

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Public Improvement I—Jolly Road from Aurelius Road to Duncel Road

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2. Letter of appreciation to Jim McCue, City Code Compliance Officer

RECEIVED AND PLACED ON FILE

3. Comprehensive Housing Affordability Strategy Approval by HUD for 1992

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

RESOLUTION #003

The Public Safety Committee

To whom was referred the Mayor's report on a petition request to install a multi-way stop at the intersection of Eighth Street and Eureka Street reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install a multi-way stop at the intersection of Eighth Street and Eureka Street be denied. The committee has reviewed the report from the administration and concurs that the petition request to install a multi-way stop at the intersection of Eighth Street and Eureka Street be denied.

Signed: Alfreda Schmidt
James Crawford
Charles Ford

Public Safety Comn@tee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTION #004

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install stop signs on Foster Avenue at Fernwood Street, creating a four-way stop, reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install stop signs on Foster Avenue at Fernwood

Street be denied. The committee has reviewed the report from the administration and concurs that the request to install stop signs on Foster Avenue at Fernwood Street, creating a four-way stop, be denied.

Signed: Alfreda Schmidt
Charles Ford
James Crawford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTION #005

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install stop signs on Foster Avenue at Vine Street, creating a four-way stop, reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install stop signs on Foster Avenue at Vine Street be denied. The committee has reviewed the report from the administration and concurs that the request to install stop signs on Foster Avenue at Vine Street, creating a four-way stop, be denied.

Signed: Alfreda Schmidt
Charles Ford
James Crawford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTIONS

RESOLUTION #006

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 91-089, which authorizes the installation of a stop sign on Oak Street at the intersection of New York Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #007

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Ordler Number 91-090, which authorizes the replacement of the existing yield signs, on Oak Street at the intersection of Massachusetts Avenue, with stop signs.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #008

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 91-091, which authorizes the rescinding of the existing parking regulation on the west side of West Street between Allegan Street and Washtenaw Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #009

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 91-092, which authorizes the installation of a stop sign on Eureka Street at the intersection of Hosmer Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #010

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 91-105, which authorizes the installation of yield signs on Coulson Court at the intersection of Claremore Drive.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #011

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 91-106, which authorizes the permanent installation of a stop sign on Fernwood Street at the intersection of Clemens Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #012

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 91-107, which authorizes the permanent installation of a stop sign on Vine Street at the intersection of Clemens Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #013

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, former Councilmember Malcolm L. Milks passed away on December 15, 1991, at the age of 67; and

WHEREAS, "Mack" Milks served with distinction as the Fourth Ward Councilmember from April 10, 1961, through April 12, 1965, during which he was elected Mayor Pro-Tem by his colleagues; and

WHEREAS, in addition to his term on this Council and his career as a local realtor, Mr. Milks devoted his time and energy to the City of Lansing through service on the Charter Commission that produced the current City Charter, the Board of Water and Light, the Public Service Board, and the Board of Review; and

WHEREAS, the list of civic and community organizations in which Mr. Milks was actively involved is long and far-reaching, creating an example of community service that all public-minded citizens might emulate;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 6th day of January, 1992, hereby commends the life and accomplishments of MALCOLM L. MILKS; and

BE IT FURTHER RESOLVED each member of Council expresses deepest sympathy to his wife June and their entire family.

By Councilmember Belen

Carried unanimously

RESOLUTION #014

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install traffic control for southbound traffic at the intersection of Kaynorth Road and Latham Street reports as follows:

The Transportation Division, Traffic Board and Mayor recommend installation of a double yellow centerline from the traffic island at Kaynorth Road and Cedar Street to the north on Kaynorth Road, and to deny the request to install traffic control for southbound traffic at the intersection of Kaynorth Road and Latham Street. The committee has reviewed the report from the administration and concurs with the recommendation to install a double yellow centerline from the traffic island at Kaynorth Road and Cedar Street to the north on Kaynorth Road, and to deny the request to install traffic control for southbound traffic at the intersection of Kaynorth Road and Latham Street.

Signed: Alfreda Schmidt
James Crawford
Charles Ford

Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTION #015

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. and Mrs. Andrija Susnjar filed a claim against the City in the amount of \$615.75 in protest of special assessments for a boarding up and for demolition of a rental property they now own located at 2326 W. Jolly Road; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimants appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee determined that the claimant's purchased the property during the period between the City's actions at the property and the time when the billings appeared on the tax statement, and the claimants did not request a change in the Assessor's list of taxpayers of record until after the assessments were added to the tax statement, and the Committee recommends that since the City's process was followed correctly, the decision of the Claims Review Committee be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Mr. and Mrs. Andrija Susnjar; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #016
BY COUNCILMEMBER BELEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

The attached 1992 City Council Standing Committee names and definitions are hereby approved.

January 6, 1992

By Councilmember Belen

Carried unanimously

*****1992 COUNCIL STANDING COMMITTEES*****

Ways and Means—Reviews all proposed modifications to the City's annual budget, the city financial status and periodic financial reports from the Internal Auditor; develops policy recommendations on City financial matters.

Physical Development—Reviews all matters having to do with land use, including zoning, plats, street and sewer development; reviews proposed modifications to the Comprehensive Plan; reviews acquisition and disposition of public property.

Public Safety—Reviews service levels and issues related to public safety including police, fire, ambulance, emergency services and traffic enforcement.

Public Services—Reviews all matters pertaining to Public Service Department policies; (except locations of extensions of sewers

and streets) Municipal Parking System including parking enforcement and policies; Parks Department policies and Building Inspection Program.

Economic Development and Long Range Planning—Reviews economic development matters; prepares and updates a five-year plan covering development goals, policies, services, workforce, capital improvements, and overall direction. Develops policies that would turn over routine matters to the Administration wherever possible.

General Services—Reviews licensing and regulation matters, personnel matters, human services, and program audits prepared by the Internal Auditor; reviews matters pertaining to the Arts, cultural and community-wide activities, special events and leisure time programs; general oversight of City Government operations, except those more specifically covered by another committee.

Intergovernmental Relations—Represents the Council in outreach efforts to improve working relationships with other political entities, regional agencies and internally with autonomous bodies such as the Board of Water and Light, the Housing Commission, and the Greater Lansing Convention/Exhibition Authority. Primary charge is to lead in the exploration of intergovernmental cooperation, toward provision of needed services in the best manner by the most appropriate jurisdiction with least duplication of effort to include specific emphasis on achieving a regional approach to recycling and solid waste management.

1992 CITY COUNCIL STANDING COMMITTEES

PRESIDENT: JAMES CRAWFORD

VICE PRESIDENT: MARK H. CANADY

COMMITTEE ON WAYS AND MEANS

Tony Benavides, Chair
Robert Brockwell, Vice Chair
Alfreda Schmidt, Member

COMMITTEE ON PHYSICAL DEVELOPMENT

Mark H. Canady, Chair
Lucile Belen, Vice Chair
Jim Crawford, Member

COMMITTEE ON PUBLIC SAFETY

Alfreda Schmidt, Chair
Tony Benavides, Vice Chair
Ellen Beal, Member

COMMITTEE ON PUBLIC SERVICE

Robert Brockwell, Chair
Tony Benavides, Vice Chair
Ellen Beal, Member

COMMITTEE ON GENERAL SERVICES

Charles Ford, Chair
Alfreda Schmidt, Vice Chair
Robert Brockwell, Member

COMMITTEE ON ECONOMIC DEVELOPMENT

Lucile Belen, Chair
Mark H. Canady, Vice Chair
James Crawford, Member

COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Ellen Beal, Chair
 Mark H. Canady, Vice Chair
 Jim Crawford, Member

1992 CITY COUNCIL SPECIAL BOARD APPOINTMENTS

PRESIDENT: JAMES CRAWFORD
 VICE PRESIDENT: MARK H. CANADY

TRI COUNTY EMPLOYMENT AND TRAINING

Lucile Belen, Jim Crawford, Tony Benavides

TRI COUNTY AGING CONSORTIUM

Alfreda Schmidt, Bob Brockwell, Ellen Beal

TRI COUNTY REGIONAL PLANNING COMMISSION

Tony Benavides, Lucile Belen, Ellen Beal

CONVENTION/VISITORS BUREAU

Lucile Belen, Alfreda Schmidt (Alternate)

**POLICE AND FIRE RETIREMENT/
EMPLOYEE RETIREMENT**

Tony Benavides

**TRI COUNTY METRO GOVERNMENTAL
BOARD OF DIRECTORS**

Tony Benavides

INGHAM COUNTY COMMUNITY CORRECTIONS

Charles Ford, Bob Brockwell

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS, IF ANY

1/ From Councilmember Schmidt, Committee Report from the Committee on Public Safety denying citizens request for traffic control for southbound traffic at the intersection of Kaynorth and Latham

HANDLED AS RESOLUTION #014

2/ From Councilmember Ford resolution of denial on claim appeal of Mr. and Mrs. Andrija Susnjar

HANDLED AS RESOLUTION #015

3/ From Councilmember Belen resolution defining and naming 1992 Standing Committees

HANDLED AS RESOLUTION #016

4/ From Councilmember Belen a request that Item XII B, resolution of tribute to late Councilmember Malcolm Milks be moved up for presentation immediately following the consideration of late items

THE RULES WERE SUSPENDED AND THE RESOLUTION OF TRIBUTE TO THE LATE MALCOLM MILKS WAS PRESENTED FOLLOWING THE CONSIDERATION OF LATE ITEMS

5/ From Councilmember Schmidt a letter from Mrs. Richard K.

Norris of 6347 Sommerset Rd. regarding the proposed cat ordinance

RECEIVED AND PLACED ON FILE**PUBLIC MAY COMMENT**

William Bernstein of 420 Baker St. stated that he has been granted a new hearing on his conviction for disturbing a public assembly.

Robert Dawdy 711 Ridgewood suggested that, to save money and make the recycling program more cost effective, the City alternate the weeks of collection for the green bag program and the recycling program. He said that, as the recycling program will cut down on the amount of waste being collected by the green bag program, this should be a viable alternative to having both programs collecting every week.

Tod Haywood of 310 Haag Court outlined an article in the Lansing State Journal regarding an invitation by Mayor McKane to the annual prayer breakfasts held at the Holiday Inn on S. Cedar St. He criticized the Mayor for this endorsement citing the separation of Church and State and calling the invitation an insult to the residents of the City of Lansing. He believes that the Mayor used City of Lansing funds to print and distribute the invitations to this event. He called for an investigation of this matter.

Marshall Taplin of 1735 Lyons registered a complaint regarding an employee of the Building Department. He has been cited for keeping junk vehicles on his property. He claims these cars are not junk vehicles, and that an employee of the Building Department damaged one of the cars. He states that he has been harassed by the Building Department for the last 4 years. Every time he is scheduled to appear in Court and takes time off of work to come to City Hall the charges are settled out of Court. He asked for an administrative investigation. Council President Crawford stated that he would have the administration look into this matter. Councilmember Ford requested statistics on how many times he has been ordered to appear only to have the cases overturned.

Lloyd Teets of 116 E. Elm St. thanked the viewers who sent him Holiday Greetings. He spoke on the wording of the oath of office administered to city officials. He expressed his frustration at not being allowed to speak regarding all of the items on the agenda, and being restricted to speaking only on items scheduled for action.

Frank Curtis of 1137 W. Allegan spoke regarding the State Journal article on the Mayor's invitation to the annual prayer breakfast, the plight of the homeless, senior citizens, and the young. He compared the Cipriano Torres killing with the capture of the young man in Dimondale who held his girlfriend hostage for 14 hours before being arrested.

Michael Fairbanks, no address given, stated his support of a prayer breakfast. He said being Mayor is a tough job and he thinks Mayor McKane does as well for the City of Lansing as Mayor Coleman Young does for the City of Detroit. He asked when the Civic Center would be torn down. Mayor McKane replied that agreement has not been consummated yet, however, they expect to move on it in the next few days.

Gary Andrews of 560 Brookland Blvd. welcomed Councilmember Beal to City Council and wished her good luck. He said that Mayor

McKane should be taken in the same light as all other religious fanatics of our time, ie., Jim and Tammy Baker.

Dolores Burley of Arcadia Drive informed Council of a potential traffic problem that exists on Michigan Ave. across from the new entrance to Sparrow Hospital. She banks at the bank on that corner. When exiting either area, the left turn lanes turn into each other. She asked for an investigation of this situation before an accident occurs. She stated her support of the Mayor's prayer breakfast.

Gary Linn of 121 S. Foster said that in November he sent the same letter to City Council, City Attorney's Office, and the Mayor's Office and has not received a reply. He related his objection with the way the Rental Housing Registration program is conducted. He says honest landlords are punished by the program. The high cost of registering their houses in the program have to be passed on to the tenants which leaves rental houses unoccupied because their rent is too high. Landlords who do not register their rental property are not fined for not complying with the law and are able to offer their properties at lower rental rates.

Harold Leeman of 529 N. Francis asked for the date of the Mayor's State of the City Address. The State of the City address will be delivered by Mayor McKane at the regular Council meeting held January 27, 1992. He asked that Ray Severy give an update on the amount of recycling trucks on the road and how the recycling program is doing.

Paul Scott of 1223 Larned said that elected officials should remember that they represent all ethnic and religious backgrounds.

Andrew Anthos of 216 W. Holmes asked for the support of the public in his attempt to get the Capital Dome lit in the colors of the State Flag on National Holidays. He asked everyone who supported his request to attend the Council meeting of January 13, 1992.

REMARKS BY THE MAYOR

Mayor McKane wished a Happy New Year to all and congratulated newly elected and re-elected Councilmembers. He reported that Christmas tree pickup will run through January 31, 1992. It is not necessary to put a green bag out with your Christmas Tree. They do ask that the trees not have any wire on them and that the trunks are not longer than 6 foot. He said the trees will be recycled to produce mulch. Anyone with questions on the pickup or recycling of the trees can call Marshall Klaus at 483-7633 or 483-4400.

Ray Severy Deputy Director of the Public Service Department addressed Harold Leeman's questions regarding the recycling trucks and progress of the recycling program. They currently have nine trucks on the road and will have two more by the end of January. They are operating on schedule. Councilmember Ford asked Mr. Severy about a call he got from a resident at 2434 Delta River Drive who had put newspapers and other items out for pickup without putting his recycling container out beside them. The items were not picked up. Does the recycling container have to be placed out in order for the items to be picked up? Mr. Severy replied that the green recycling container must be put out with all items that are to be picked up. Councilmember Schmidt asked if people can put newspapers out for pickup that are bundled with twine or string. Mr. Severy said that all string or twine must be removed. If

they are left on the items for pickup they will be left with a quality control ticket explaining why they were not picked up and the proper way to prepare materials. Councilmember Schmidt asked why all recyclable plastics are not picked up by the City. Mr. Severy explained that different types of plastic are not compatible with each other in the melting process. Therefore the City does not pickup the types of plastic containers that we do not have a market for. She asked for an update on the progress of the rebate for people who demonstrate that they use an alternate type of recycling other than the City's program.

REMARKS BY COUNCILMEMBERS

Councilmember Ford welcomed Councilmember Beal to the City Council.

Councilmember Beal said she is happy to be here and looks forward to working with everyone. Her chief concern as a Councilmember is the demolition of property going on in the City. She called for a moratorium on demolition saying there is too much surface parking lot construction going on.

ADJOURNED 8:50 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

8

REVISED Proceedings, January 13, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
January 13, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford.

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Ford and Schmidt

ABSENT: Councilmember Canady

The Invocation and Pledge of Allegiance were led by Councilmember Ford.

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of December 16, 1991

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ Committee report regarding Z-2-90, rezoning of the 1900 block of North Larch Street and the 1800 block of Thompson Street

2/ Ordinance for Z-2-90

3/ Letter from Russell and Nancy Green of 1414 Congress

4/ Two letters from Thomas Onderko of 801 E. Mt. Hope (one submitted by Councilmember Schmidt and one by Councilmember Ford)

5/ Resolution in observance of the birthday of Dr. Martin Luther King, Jr.

6/ A request to allow Reverend Graves to present petitions on behalf of the Pastors Conference of Greater Lansing at the first Public Comments

7/ A request to allow Geraldine Neal to speak during the first Public Comments regarding GLAD-Greater Lansing Against Drugs

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider petition for Z-11-91—Rezoning at 401-405 East Mt. Hope Ave. from "C" Residential District, and "J" Parking District to "E-2" Local Shopping District to bring zoning into conformance with the use of the property and allow for the expansion of off-street parking

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. To consider petition for Z-12-91—Rezoning at 1112-1114 Rose Ct. from "B" Residential District, and "DM-4" Residential District to "J" Parking District to allow for expansion of off-street parking for St. Lawrence Hospital

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. In consideration of an amendment to Part 12 of the Code of Ordinances by revising the following chapters of Title Six to allow for development of residential care facilities:

- 1248.04(f) A, A-1 and B
- 1250.04(f) C
- 1252.04(g) DM-1
- 1254.04(f) DM-2
- 1256.04(e) DM-3
- 1258.04(e) DM-4

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. In consideration of an amendment to Part 12 of the Code of Ordinances by revising Title Six, Chapters 1270.02 and 1270.04 concerning the regulation of parking facilities in the "G-1" Business District

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Reverend Graves, representing the Pastors Conference of Greater Lansing, presented petitions to council signed by approximately 1,000 persons. These petitions requested that the name of Logan St./Martin Luther King, Jr. Blvd. be changed to remove the Logan Street name.

Geraldine Neal, representing GLAD—Greater Lansing Against Drugs—spoke about their newly formed group. Approximately 20 members of the group were present. She asked residents to join the group to help combat drugs in Lansing. The phone number for interested persons to call is 374-6039.

SPECIAL CEREMONIES

The Mayor spoke regarding an award granted to the City by the Department of Natural Resources Commission for the clean up of the Diamond Reo site.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and that the proper referrals be made by the Council President.

Carried unanimously.

A. Claim appeal from Shandra Shatney of 311 Brynford

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

B. Request for simultaneous preliminary plat and final plat approval
for Oakwood Executive Park from Ledy Engineering Corporation

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Letter from the Greater Lansing Convention/Exhibition
Authority recommending that the City Close the Civic Arena as of
June 30, 1992

REFERRED TO THE COMMITTEE OF THE WHOLE AND
THE COMMITTEE ON WAYS AND MEANS

D. Letter from the Lansing School District agreeing to relinquish the
use of Channel 41 to C-Span during the course of Continental
Cablevision's rebuilding period

REFERRED TO THE CABLE ADVISORY BOARD

E. Letter from Harold Leeman, Jr. of 529 N. Francis requesting that
the City Clerk acquire a copy of the video of December 16, 1991
City Council Meeting, prepare a transcript of that meeting, and
present it at the next meeting of the Ethics Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

F. Petitions for Special Land Use from the following:

1. SLU 1 92, 1315 S. Pennsylvania by Lansing Parks and
Recreation of 124 W. Michigan Ave. to allow them to develop a new
Zoo restroom/concession and small animal moats

2. SLU-2-92, 1518 S. Washington Ave. by South Baptist Church
to allow them to develop off street parking for the church

REFERRED TO THE MAYOR AND THE PLANNING BOARD

G. Notice from the State of Michigan Tax Commission of the
revocation of the following Industrial Facility Exemption certificates
as of December 30, 1991:

—IFEC 86-012 R&P to Nehi Beverage Company at 1510 N.
Grand River

—IFEC 83-496 to Jackson Assembly Enterprises Inc. at 1305 S.
Cedar St.

—IFEC 83-234 R&P and 85-388 to Martin Electric at 1818
Bassett

REFERRED TO THE MAYOR

MAYOR'S COMMENTS

Mayor McKane reviewed his letters on the Council agenda.

CITY OFFICER AND BOARD REPORTS

A. Resolution #017
January 10, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers

The attached applications for licenses have been routinely
processed and are recommended for approval. They are ready for
final action by City Council. They are as follows:

CABARET: Kelly's Downtown

TRANSFER OWNERSHIP

CLASS C TAVERN LICENSE: Seong Suk Lee Brogan

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford:

Resolved by the Lansing City Council to accept the recommenda-
tions of the City Clerk

Carried unanimously; Councilmember Canady absent

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the
Availability of Minutes from Council Proceedings of January 6,
1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Appointment of Roy Croop to Capital Region Airport Authority

REFERRED TO THE COMMITTEE ON
INTERGOVERNMENTAL RELATIONS

2. Appointment of Roger Donaldson to Building Board of
Appeals

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. Appointment of Fredric S. Abood to Board of Fire Commis-
sioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Appointment of Terry D. Eagle to Downtown Mall Advisory
Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

5. Resignation of Constance Knowlton from Human Resources
Board

RECEIVED AND PLACED ON FILE

6. Resignation of Wesley Jeltema from Capital Region Airport
Authority

RECEIVED AND PLACED ON FILE

7. Sole Source Procurements over \$10,000—4th Quarter
Report

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. Parking Regulation: Verlinden Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. Parking Regulation: Reo Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10. Traffic Study: Rundle Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

11. Traffic Control: Blue River Drive, Windward Drive and Sheffield Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. Traffic Control: Piper Avenue and Webster St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13. Traffic Control: Newark Avenue and Piper Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14. Traffic Control: Christiansen Road and Pierce Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

15. Traffic Control: Staten Avenue and Trudy Lane

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

16. Response from Building Safety Department to Gary L. Linn

RECEIVED AND PLACED ON FILE

17. Transfer of funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

18. SLU-21-91, 1723 Oak Ridge Avenue

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

19. P-1-91, Oakwood Executive Park—Tentative Preliminary Plat

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

20. Resolution regarding compliance with Americans with Disabilities Act (ADA)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

COMMITTEE REPORTS

There were no Committee Reports on the Agenda; one was submitted as a Late Item (see Consideration of Late Items Section)

RESOLUTIONS

Resolution #018

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Pastor Aaron Milton has, throughout his numerous years as a member of the Lansing Community and of U.A.W. Local 602, consistently demonstrated his devotion to the betterment of the Lansing Community and to the welfare of all Lansing Residents; and

WHEREAS, Pastor Milton's commitment and dedication to the welfare of our community is further evidenced by his position as Pastor Superintendent of the Jesus of Nazareth Church Of God in Christ; and

WHEREAS, over the past four years Pastor Milton has played an instrumental role in the development of the Chaplaincy Program, a

nation-wide program designed to serve and assist all U.A.W. workers regardless of their faith or personal beliefs; and

WHEREAS, Pastor Milton is also the first U.A.W. Chaplain to assume fulltime responsibilities, working out of the local BOC Employee Assistance Office in serving the members of a number of U.A.W. Local Unions.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends Pastor Aaron Milton for his dedication in serving the needs of Lansing residents.

By Councilmember Benavides:

Carried unanimously; Councilmember Canady absent

Resolution #019

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jack Down filed a claim against the City in the amount of \$390.10 in protest of a special assessment against his residential property at 1345 Emerson Street for removal of trash by the City's contractor; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends partial approval of the claim, finding that the amount of trash removed by the City's contractor did not justify a charge of \$156.00 for three hours' work; and

WHEREAS, the Committee recommends that the special assessment for this trash removal be reduced from \$390.10 to \$286.10, which is a reduction equivalent to two hours' labor charge by the City's contractor;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves a reduction in the trash removal special assessment levied against the property at 1345 Emerson Street by the amount of \$104.00, leaving an assessment of \$286.10, as recommended by the Committee on General Services; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action.

By Councilmember Ford:

To amend the resolution by adding after the "and" on the next to last paragraph "to ask the administration to attempt to recoup the two hours time reimbursement to contractor".

Carried unanimously

By Councilmember Ford:

To adopt the amended resolution

YEAS: Beal, Belen, Benavides, Brockwell, Ford, Schmidt

NAYS: Crawford

ABSENT: Canady

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage on the Agenda. One was submitted as a Late Item (see Consideration of Late Items Section)

CONSIDERATION OF LATE ITEMS

1/ Committee report regarding Z-2-90, rezoning of the 1900 block of North Larch Street and the 1800 block of Thompson Street

Handled as Resolution #020

2/ Ordinance for Z-2-90

Handled as Ordinance #2336

3/ Letter from Russell and Nancy Green of 1414 Congress

Referred to the Mayor and the Traffic Board

4/ Two letters from Thomas Onderko of 801 E. Mt. Hope (by Councilmember Schmidt and by Councilmember Ford)

The one submitted by Councilmember Schmidt was referred to the Mayor and the one submitted by Councilmember Ford was referred to the Mayor and the Committee on Public Services

5/ Resolution in observance of the birthday of Dr. Martin Luther King, Jr.

Handled as Resolution #021

6/ A request to allow Reverend Graves to present petitions on behalf of the Pastors Conference of Greater Lansing at the first Public Comments

The rules were suspended and Reverend Graves presented petitions signed by approximately 1,000 persons in support of removing the dual name of Logan/Martin Luther King, Jr. Blvd. and having it named solely in honor of Dr. King. These petitions were referred to the Mayor and the Committee of the Whole.

7/ A request to allow Geraldine Neal to speak during the first Public Comments regarding GLAD—Greater Lansing Against Drugs

The rules were suspended and Geraldine Neal was allowed to speak at the first Public Comments. She invited Lansing residents to join their group, Greater Lansing Against Drugs. Anyone interested should phone 374-6039.

Resolution #020 COMMITTEE OF DEVELOPMENT

TO WHOM WAS REFERRED the rezoning petition Z-2-90. 1900 Block of North Larch Street and 1800 Block of Thompson Street to be rezoned from "C" Residential District, "H" Light Industrial District, and "F" Commercial District to "F" Commercial District,

REPORTS AS FOLLOWS That the petition be denied as filed.

Further, the Committee recommends that the revised ordinance rezoning the property from "C" Residential District, "H" Light Industrial District, and "F" Commercial District to "F" Commercial District and "J" Parking District be approved.

SIGNED: Mark H. Canady

Lucile Belen

James Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

That the report of the committee be adopted.

By Councilmember Benavides:

Carried unanimously, Councilmember Canady absent

Resolution #021

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing will conduct its eleventh annual observance of the birthday of Dr. Martin Luther King, Jr., on Friday, January 17, 1992, from 12 noon to 1 PM in the City Council Chambers; and

WHEREAS, the theme of this year's observance is "LIVING THE DREAM Through a Beloved Community," with a keynote address by Dr. Abel Sykes, Lansing Community College President; and

WHEREAS, the Federal Act that established Dr. King's birthday as a national holiday suggested that the day be used as a time for Americans to reflect on Dr. King's dream of a society in which freedom, equality and justice can be enjoyed by all;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th Day of January, 1992, hereby encourages the Residents of Lansing to combine their feelings for our beloved community, and their desire for a better future for our children, to create a new energy, directed toward actively living the dream every day in the Capital City; and

BE IT FURTHER RESOLVED the Council urges all Citizens of Lansing to recognize Dr. King's dream as a goal to which each one of us can contribute by leading the way to peace, equality and justice for all people.

By Councilmember Benavides:

Carried unanimously

BY COUNCILMEMBER Benavides:

That we move to passage of ordinances.

BY COUNCILMEMBER Benavides:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER Benavides:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the

revision of the district maps adopted by Section 1246.02 of the code for property located at Z-2-90—1900 Block of North Larch Street and 1800 Block of Thompson Street be rezoned from "F" Commercial District and "C" Residential District to "J" Parking District be placed on order of immediate passage.

BY COUNCILMEMBER Benavides:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-2-90—1900 Block of North Larch Street and 1800 Block of Thompson Street be rezoned from "F" Commercial District and "C" Residential District to "J" Parking District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Canady

ORDINANCE #2336

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN, AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan, be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-2-90, 1900 Block of North Larch Street and 1800 Block of Thompson Street

Parcel Number: 3301-09-229-105

Legal Description: That part of Lots 1 through 8 inclusive, lying westerly of the west right-of-way line of US-127 at southbound exit ramp, Assessor's Plat No. 6, City of Lansing, Ingham County, Michigan

From "C" Residential District, "H" Light Industrial District, and "F" Commercial District to "F" Commercial District.

Those parts of Lot 17 and the north ½ of Lot 16 commencing at the northeast corner of Lot 17; thence south 60 feet, west 18 feet, north 62.55 feet to beginning, Block 1, Lincoln Heights Subdivision; also those parts of Lots 9 through 15 inclusive of said subdivision and also the south ½ of Lot 16 and also parts of Lots 12 and 13 Lyman's Subdivision, all lying westerly of the west right-of-way line of US-127 southbound exit ramp. City of Lansing. Ingham County, Michigan

From "F" Commercial District and "C" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with

the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MOTION OF EXCUSED ABSENCE

By Councilmember Brockwell

That Councilmember Canady be excused from tonight's session.

Carried unanimously.

PUBLIC MAY COMMENT

William Bernstein of 420 Baker Street dedicated his three minutes time to John Roberts and Al Knot for obstructing justice in his case.

Tom Shields of 1118 Riley said that Logan Street was named for General Logan from the Civil War and that he does not feel his name should be removed from this street. He also stated that Parks personnel are not locking gates to the city cemeteries which allows vandals access, such as occurred at the R. E. Olds Mausoleum.

Lloyd Teets of 116 E. Elm Street stated that there are 32 items on tonight's agenda that could receive public comment (those that do not require action). He felt that the three minutes allowed for the public to comment is not adequate.

Frank Curtis of 1137 W. Allegan Street stated that white people have a lot of heroes but the black people only want to honor one, Dr. Martin Luther King, Jr. and that he supported the petition submitted by the Pastors Conference of Greater Lansing.

Andrew Anthos spoke regarding his drive to light the capitol dome.

Rebecca Snyder of 212-½ Barnes spoke in support of Andrew Anthos' efforts to light the dome.

Several other people spoke in support of Andrew Anthos' request for lighting of the Capitol dome. They did not sign in so we do not have their names and addresses on the public record.

Paul Scott of 1223 Larned mentioned that there will be a program on Channel 23 on Wednesday at 10:00 P.M. regarding another city's efforts organizing against drug activities.

Harold Leeman of 529 N. Francis asked when the city would be taking action regarding the possible closing of the Civic Arena. The Mayor responded that consideration will be made as part of the budget process. Mr. Leeman also stated that he felt the power was not evenly distributed in the assignments made to council committees.

Douglas Fairbanks, no address given, stated that he felt the city should install more mercury vapor lights.

REMARKS BY THE MAYOR

Mayor McKane announced that City Hall will be closed on Monday, January 20th, to observe the birthday of Dr. Martin Luther King, Jr. Garbage pickup for the week will be moved back one day as a result. The Mayor mentioned that there will be an observance of Dr. King's birthday at City Hall on Friday, January 17th at noon and mentioned other observances in the community.

REMARKS BY COUNCILMEMBERS

Councilmember Belen commended the Lansing Police Department on the solving of the grave robbing incident at the R. E. Olds Mausoleum. She also asked the Mayor the cost of crowd control when Jesse Jackson's rally is here. The Mayor responded that they intend to keep costs to a minimum but cannot provide the cost until the rally is over.

Councilmember Schmidt asked if there isn't any way that the city can recover some of the costs of providing security and police protection for rallies such as the one being conducted by Reverend Jackson. She also mentioned that Pat Hayden has published her book providing the history of the Lansing Police Department and commended her for her efforts.

Councilmember Brockwell mentioned that there will be a fundraiser for the Brotherhood Against Drugs on Sunday at Kellogg Center.

Council President Crawford announced that the regular meeting of Council will be on Tuesday, January 21st next week due to the observance of Dr. King's birthday on Monday.

Meeting adjourned at 8:30 P.M.

James D. Blair, City Clerk

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

14

Proceedings, January 21, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
January 21, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Schmidt

ABSENT: Councilmember Ford

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt a letter from Catherine R. Curtis of 1513 Herbert regarding the proposed Cat Ordinance

2/ From Councilmember Schmidt a letter from Neighborhood Watch #120 regarding a public nuisance at 811 W. Shiawassee

3/ From Councilmember Schmidt 2 unsigned letters regarding dropping the designation Logan St. from Logan St./Dr. Martin Luther King, Jr. Boulevard.

4/ From Councilmember Beal a resolution from the Committee on Intergovernmental Affairs approving the appointment of Roy Croop to the Capital Region Airport Authority

5/ From Councilmember Beal a request that Council vote to reconsider Ordinance #2336, Z-2-90, 1900 N. Larch and 1800 Block of Thompson

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

William Hubbell of 1128 1/2 Cooper spoke regarding the resolution approving a Traffic Control Order for a stop sign to replace the yield sign at Poxson Ave. and Rundle, saying that the amount of traffic in the area does not seem to support the need for this change.

Lloyd Teets of 116 E. Elm St. asked Council to grant Harold Leeman's request that a transcript be prepared from a videotape of the December 16, 1991 Council Proceedings to be given to the Board of Ethics. He commented on the loss of 2 liquor licenses allocated to the City of Lansing. He spoke in opposition to item XII B-1 indemnifying prospective purchasers of the Diamond Reo site from liability arising from contamination existing at the site.

Councilmember Canady replied that the resolution indemnifies potential purchasers and developers from liability for contamination that is already in existence, created by previous inhabitants, not from liability for future contamination.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That communications and petitions be considered as read in full and the proper referrals made by Council President Crawford.

Carried unanimously

A. Letter from Lloyd Teets of 116 East Elm Street regarding the Board of Water & Light Rate Increase

REFERRED TO THE COMMITTEE OF THE WHOLE

B. Petition signed by 81 Lansing residents requesting no name change for Logan Street/Dr. Martin Luther King, Jr. Blvd.

**REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE**

C. Request for non-profit status received from the Sports Booster Club of I.B.E.W., Local Union #665

REFERRED TO THE CITY ATTORNEY

D. Application by G. Cutler to establish an Industrial Development District at 5646 Commerce Drive

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON ECONOMIC DEVELOPMENT**

E. Preliminary plat approvals for Coachlight Estates #2 and #3 received from Stephens Consulting Services, P.C.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mr. Boyd recapped three of Mayor McKane's letters on tonight's agenda; #1 appointment of Richard Funk to the Cable Advisory Board, #2 grant to the Greater Lansing Housing Coalition from the W.K. Kellogg Foundation of Battle Creek, #10 creation of Short-term Blue Ribbon Committee/Task Force which has been meeting since December 18, 1991 and should have a report to the Mayor by March 6, 1992.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #022

January 17, 1992

President Belen and Members of the Lansing City Council

10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Robert Heller, Brian Paul Ferguson, Jack Anderson

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of January 13, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Attorney in the matter of a petition for striking certain personal property taxes from the tax rolls

REFERRED TO THE MAYOR

D. Letters from the Mayor re:

1. Appointment of Richard S. Funk to the Cable Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Greater Lansing Housing Coalition Receipt of Grant from W. K. Kellogg Foundation of Battle Creek

RECEIVED AND PLACED ON FILE

3. Request for Public Hearing for Demolition of 615 Clifford Street

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

4. Donna Jean Gomez v City of Lansing, et al—U. S. District Court Lawsuit

RECEIVED AND PLACED ON FILE

5. Proposed Ordinance for Special Assessments

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. Proposal to Establish an Industrial Development District at 1900 West Willow

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

7. An Appeal for Humanitarian Aid to Osijek (Republic of Croatia)

RECEIVED AND PLACED ON FILE

8. Resolution Regarding Compliance with Americans with Disabilities Act (ADA)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

9. Department of Natural Resources (DNR) Grant to Improve Grand River Park Boat Launch

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10. Creation of Short-term Blue Ribbon Committee/Task Force

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #023

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the ordinance to repeal Chapter 834 of the City Code, which regulates licensing and operation of mechanical amusement devices and music boxes,

REPORTS AS FOLLOWS: The repeal was recommended by the Mayor due to the high cost of enforcing the chapter compared to the low revenue generated by license fees. The Committee explored the idea of revising the chapter to change the licensing requirement to a registration requirement, but the fee revenue still did not justify the administrative cost of a registration program. The Committee recommends that the ordinance of repeal be adopted.

BY COUNCILMEMBER BROCKWELL

That the report of the Committee be received.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 1

RESOLUTION #024

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the letter to the City Clerk from Harold Leeman regarding a matter previously referred to the Board of Ethics,

REPORTS AS FOLLOWS: Mr. Leeman requested that the Clerk, as a member of the Board of Ethics, obtain a copy of the videotape from the Council meeting of December 16, 1991, for review by the Board. Mr. Leeman further requested that a transcript of the same meeting be produced. The Committee has instructed the Channel 28 Staff to prepare a copy of the meeting videotape for the Board. Whether or not a transcript needs to be made from the videotape is a matter for the Board of Ethics to decide. This report is for information only, and no further Council action is necessary.

BY COUNCILMEMBER BROCKWELL

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #025

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the letter to the City Clerk from the Michigan Liquor Control Commission notifying the City that two on-premise liquor licenses have been lost due to a quota reduction based on the 1990 federal census, and that Lansing is now one license over quota,

REPORTS AS FOLLOWS: The Council Staff learned that one of the licenses already lost was inactive, but held in reserve by City Council resolution for a major riverfront development project. Staff from the Liquor Control Commission said that for a development

project valued at more than one million dollars, the Council and the developer would probably be successful in applying for a resort on-premise license. Since the City's remaining 86 quota licenses are either in active use or in escrow, the Commission will take no action at this time to reclaim a license to match the new quota of 85. However, the next time a quota license is terminated by the Commission, it will be lost until at least the year 2000, when the next census will determine Lansing's revised quota. This report is for information only, and no Council action is required.

BY COUNCILMEMBER BROCKWELL

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #026

THE COMMITTEE ON WAYS AND MEANS

TO WHOM WAS REFERRED the request for replacement of a hoist in the automotive section of the Central Garage.

REPORTS AS FOLLOWS: In accordance with Council policy, "that no funds appropriated for equipment may be expended for any other purpose without the prior approval of City Council," the administration reports that scheduled police vehicle replacement has been completed at a lower than budgeted cost. However, a hoist used for vehicle repair and maintenance has failed and, if not replaced, will impede completion of maintenance and repairs of Public Safety and other City vehicles. Therefore, the Administration requests City Council approval to utilize \$20,000 for replacement of the hoist. The Committee unanimously recommends approval.

SIGNED: Councilmember Tony Benavides, Chair
Councilmember Robert Brockwell, Vice-Chair
Councilmember Alfreda Schmidt, Member

BY COUNCILMEMBER BENAVIDES

That the report of the committee be adopted.

Dated: January 21, 1992

CARRIED UNANIMOUSLY

RESOLUTION #027

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the report from the Mayor and the Planning Board on rezoning petition Z-34-88, located at 3001 South Washington Avenue,

REPORTS AS FOLLOWS: The Committee will hold this matter for 60 days to allow the property owner/petitioner to comply with City violation notices regarding cleanup of the subject parcel. If the property owner/petitioner does not take action on the cleanup within the 60-day period, the Committee will sponsor a resolution denying the rezoning petition. This report is for information only, and no Council action is necessary at this time.

By Councilmember Canady:

That the report of the Committee be received.

Carried unanimously

RESOLUTION #028

January 13, 1992

Z-10-91

605 South Capitol Avenue

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-10-91

605 South Capitol Avenue to be rezoned from "DM-4" Residential District to "D-1" Professional Office District

Report as follows: That said rezoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
Jim Crawford
Committee on Physical Development

By Councilmember Canady

Carried unanimously

RESOLUTION #029

January 21, 1992

Z-11-91

401-405 East Mt. Hope Avenue

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-11-91

401-405 East Mt. Hope Avenue to be rezoned from "C" Residential District and "J" Parking District to "E-2" Local Shopping District.

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
James Crawford
Committee on Physical Development

By Councilmember Canady

Carried unanimously

RESOLUTION #030

January 21, 1992

Z-12-91

1112-1114 Rose Court

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-12-91

1112 Rose Court to be rezoned from "DM-4" Residential District to "J" Parking District.

1114 Rose Court to be rezoned from "B" Residential District to "J" Parking District.

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
James Crawford
Committee on Physical Development

Item XI C-5 from the Committee on Physical Development recommending Amendments to the Planning and Zoning Code

was pulled from the Agenda at the request of Councilmember Canady and referred to the Committee of the Whole

RESOLUTIONS

RESOLUTION #031 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-024, which authorizes the installation of stop signs on Riley Street at the intersection of Clifton Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #032 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-098, which authorizes the installation of yield signs on Trudy Lane at the intersection of Staten Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #033 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-099, which authorizes the installation of yield signs on Piper Avenue at the intersection of Newark Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #034 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-102, which authorizes the changing of yield signs on Cooper Avenue at the intersection of Rundle Avenue to stop signs.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #035 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-103, which authorizes the changing of the existing yield signs on Poxson Avenue at the intersection of Rundle Avenue to stop signs.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #036 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-104, which authorizes the changing of the existing yield signs on Gordon Avenue at the intersection of Rundle Avenue to stop signs.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #037 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-100, which authorizes the installation of stop signs on Piper Avenue at the intersection of Webster Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #038 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-101, which authorizes the installation of stop signs on Blue River Drive and on Windward Drive at the intersection of Sheffield Boulevard.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #039 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-094, which authorizes the installation of a no parking regulation on Reo Road west of Pleasant Grove Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #040 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 91-095, which authorizes the installation of a bus loading zone on Verindlen Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #041 BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council desires development on the industrially-zoned parcel of land known as the Diamond Reo site; and

WHEREAS, potential buyers and developers have expressed concern over environmental contamination of the site due to previous uses; and

WHEREAS, the City's environmental consultant has identified several pockets of contamination in the soil of the site, and the City has paid to have the contamination removed;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby establishes a policy that any purchasers and developers of land within the Diamond Reo site be held harmless from any liability arising from environmental contamination known by the City to exist at the time of the sale.

BY COUNCILMEMBER CANADY:

To amend the resolution by substituting the following for the Resolved clause:

"NOW, THEREFORE, BE IT RESOLVED the Lansing City Council establishes a policy that any purchaser(s) and developer(s) shall be held harmless from any liability arising from environmental hazard(s) or contamination at the site which has been identified by the City's environmental consultant that performs an environmental audit at the time of the sale by the City's environmental consultant; and

BE IT FURTHER RESOLVED the City of Lansing shall not indemnify purchasers and developers of land within the Diamond Reo site for any liability arising from environmental hazard or contamination not identified by the City's environmental consultant at the time of the sale; and

BE IT FURTHER RESOLVED that any purchaser of land within the Diamond Reo site shall be responsible for any liability arising from any environmental hazard or contamination caused by the purchaser, or its agents or those individuals responsible for activity on the site; and

BE IT FINALLY RESOLVED that the above-mentioned provisions shall be contained in any contract, agreement, lease, sublease, assignment or any other document pertaining to the conveyance of any interest in land within the Diamond Reo site."

By Councilmember Canady

Carried unanimously

RESOLUTION #042

January 13, 1992

P-1-91

Oakwood Executive Park

Tentative Preliminary Plat Approval

WHEREAS the applicant, Ledy Engineering Corporation, representing Wieland-Davco Corporation, is requesting tentative preliminary approval for the plat of Oakwood Executive Park; and

WHEREAS the Planning Division reviewed the plat proposal which contains a total of 67.4 acres, 26.1 of which are located in the City

of Lansing. The remainder is in Delhi Township. Existing access is from Pine Tree Road running south from Jolly Road. The plat is located west of Pine Tree Road and north of the I-96 freeway. The plat will be divided into 29 lots and two outlots. Ten (10) lots, a portion of Outlot A and all of Outlot B, are located in the City of Lansing. The property located in the City is zoned "H" Light Industrial District and the use proposed appears compatible; and

WHEREAS the Planning Board, on December 17, 1991, recommended approval of the tentative preliminary plat subject to eight (8) conditions; and

WHEREAS the Physical Development Committee of Lansing City Council has reviewed the report of the Planning Board and concurs therein;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approve the tentative preliminary plat of Oakwood Executive Park subject to the following conditions:

1. The final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.

2. All lots shall be graded so surface water will drain therefrom so as not to adversely affect adjacent properties.

3. The developer utilize an underground electrical distribution system as specified in Section 1238.08 of the Lansing Planning and Zoning Code.

4. The necessary easements be provided for the installation of utilities.

5. Pavement and right-of-way widths per Public Service Department and Ingham County Road Commission.

6. Change or clear street names.

7. Compliance with requirements of all responding agencies.

8. This tentative approval of the preliminary plat is effective for a period of twelve (12) months; and

BE IT FURTHER RESOLVED that the Lansing City Clerk be directed to notify the applicant of this action.

By Councilmember Canady

Carried unanimously

RESOLUTION #043

P-1-91

Oakwood Executive Park

Final Preliminary Plat Approval

WHEREAS the applicant, Ledy Engineering, representing Wieland-Davco Corporation, has requested final preliminary plat approval of Oakwood Executive Park; and

WHEREAS the applicant, by letter dated December 18, 1991, has committed that all agency requirements and conditions of the tentative preliminary plat approval can and will be complied with; and

WHEREAS the Lansing Planning Division has reviewed the request for final preliminary plat approval and finds assurances sufficient

from the applicant to recommend approval of the final preliminary plat with the understanding that the final plat will reflect the required conditions; and

WHEREAS the Physical Development Committee of Lansing City Council has reviewed the report of the Planning Board and concurs therein;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approve the final preliminary plat of Oakwood Executive Park subject to the conditions specified in the tentative preliminary plat approval; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to notify the applicant of this approval.

By Councilmember Canady

Carried unanimously

RESOLUTION #044

January 9, 1992

SLU-21-91

1273 Oak Ridge Avenue

COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS Amber Management requested a special land use permit to allow construction of a three story 24 unit apartment building in the 100 year flood plain of the Red Cedar River; and

WHEREAS the property located at 1273 Oak Ridge Avenue contains 33,000 square feet of lot area more particularly described as:

North 150 feet of east 220 feet of east ½ of northwest ¼ of southwest ¼ of northwest ¼, Section 13, T4N, R2W, City of Lansing, Ingham County, Michigan; and

WHEREAS on December 17, 1991 the Planning Board unanimously recommended approval of the request finding the following:

1. The proposed use is designed in a manner harmonious with the character of adjacent property and the surrounding use.

2. The proposed use will not change the residential character of the surrounding property.

3. The proposed use is not anticipated to interfere with the general enjoyment of adjacent properties.

4. The proposed use is in keeping with the natural environment of the lot.

5. The proposed use is not anticipated to be hazardous to adjacent properties or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6. There are sufficient public services and facilities available to serve the proposed use.

7. The proposed use is consistent with the intent and purpose of the Zoning Code and the objectives of the current Comprehensive Plan.

8. The proposed use meets the dimensional requirements of the DM-3 Residential District; and

WHEREAS the Physical Development Committee of the Lansing City Council concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the special land use request to develop the three story 24 unit apartment building as proposed on the property located at 1273 Oak Ridge Avenue as described above.

By Councilmember Canady

Carried unanimously

RESOLUTION #045

BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Building Safety has declared a structure located at 615 Clifford to be an unsafe and dangerous building, and has requested that the City Council issue an order to the property owner to demolish or otherwise make safe the structure; and

WHEREAS, Section 1460.24(d)(3)(4) of the Housing Code requires that a hearing be conducted to give the property owner an opportunity to show cause why the structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on February 3, 1992, in the City Council Chambers, 10th Floor City Hall, 124 W. Michigan Ave., Lansing, Michigan for the purpose of receiving testimony on the proposed order to demolish or otherwise make safe an unsafe and dangerous structure located at 615 Clifford; and

BE IT FURTHER RESOLVED the Council requests that the Director of Building Safety notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by City Code.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #046

BY COMMITTEE ON WAYS AND MEANS

1-20-92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

\$120.00 from Misc. Rev.	A/C 101-000000-680000-00000
120.00 to Fire-Bdgt. Ctrl.	A/C 101-343501-992200-00000
(Donations for Paramedic Program received from Robert D. and Christine L. McAlvey (\$60); Stephen L. Barnes (\$60).	

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

By Councilmember Benavides

Carried unanimously

RESOLUTION #47

BY: COMMITTEE OF WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, two employees of the City of Lansing have filed claims against the City for compensation under the Workers' Disability Compensation Act (Claim Nos. 8VLNG89C0055 and 8VLNG 78C0005); and

WHEREAS, under the facts presented, a full and final redemption of Claim No. 8VLNG89C0055 in the amount of \$25,000 and Claim No. 8VLNG78C0005 in the amount of \$7,000 would represent substantial savings to the City; and

WHEREAS, redemption of these claims would bar these employees from seeking any additional benefits for lost wages, medical expenses, and any and all alleged injuries that may have occurred in the past and any alleged injuries that may occur in the present and future and would eliminate the possibility of continued employment with the City; and

WHEREAS, the Personnel and Training Department and the Law Department recommend redemption of these claims under the terms set forth above;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby authorizes the City Attorney's Office to effectuate these redemptions.

By Councilmember Benavides

Carried unanimously

RESOLUTION #048

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Kerry Hagan filed a claim against the City in the amount of \$283.00 in protest of a special assessment for trash removal from a rental property at 229 Clifford Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were investigated by the Claims Review Committee, which also heard testimony from the claimant; and

WHEREAS, the Claims Review Committee denied the claim, and the claimant appealed the denial to City Council; and

WHEREAS, the appeal was sent to the Committee on General Services for review; and

WHEREAS, the Committee found that the claimant believed that he, as the resident manager of the subject rental property, should have received a copy of the violation notice, since the Building Safety Division's registration list of rental properties named the claimant as the owner's agent; and

WHEREAS, the language of Section 1460.22 of the Housing Code, regarding notice of violations, requires that notices of hazardous or unsanitary premises only be sent to the property owner listed in the Assessor's records, which was done in this case, and all other procedural requirements were correctly followed; and

WHEREAS, the Committee determined that the special assessment charge was valid, and recommends that the decision of the Claims Review Committee denying the claim be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the decision of the Claims Review Committee denying the claim of Kerry Hagan; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #049

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ms. Ellen Sudberry filed a claim against the City in the amount of \$1,142.20 in protest of a special assessment for trash removal from a rental property at 1603 Turner Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were sent to the Committee on General Services for investigation; and

WHEREAS, the Committee found that although the claimant believed the cost of the trash cleanup was excessive, notice of the trash violation was properly sent, the violation was not corrected by the property owner within the allotted time, the City's contractor performed the cleanup under the on-site supervision of the Assistant Chief Code Compliance Officer, and that the special assessment charge was valid; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Ellen Sudberry; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #050

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, January 26-31, 1992, has been proclaimed "Catholic Schools Week", a national celebration in every state in the Union, and the theme this year, which is "Discover Catholic Schools," is tied to the 1492 discovery of the Americas by Christopher Columbus; and

WHEREAS, during this week, Catholic schools celebrate their existence and their contributions to the country as well as to our states and cities; and

WHEREAS, a program will be held on January 28th at St. Casimir School, 800 West Barnes, honoring St. Casimir's and Immaculate Heart of Mary School, which have served the South Lansing community for a combined period of 64 years; and

WHEREAS, the availability of Catholic schools is part of the strength of the City of Lansing, adding to its diversity and reputation as a good place to live, work, and raise a family;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 21st day of January, 1992, hereby congratulates the students, parents, and staffs of St. Casimir School and Immaculate Heart of Mary as they celebrate Catholic Schools Week in Lansing.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #051

BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to appoint Mr. Roy Croop to the Capital Region Airport Authority for a term to expire October, 1992 is hereby confirmed.

January 21, 1992.

By Councilmember Beal

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER CANADY

That we move to passage of ordinances.

BY COUNCILMEMBER CANADY

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-91—605 South Capitol Avenue be rezoned from "DM-4" Residential District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-91—605 South Capitol Avenue be rezoned from "DM-4" Residential District to "D-1" Professional Office District be now passed.

YEAS: 7

NAYS: 0

ABSENT: 1

ORDINANCE # 2337

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-10-91, 605 South Capitol Avenue

Parcel Numbers: 3301-16-384-001 and 3301-16-384-111

Legal Description: West 66 feet of the north 2 feet of Lot 7 and the west 66 feet of Lot 8, and commencing 66 feet east of the northwest corner of Lot 8; thence south 99 feet, east 49 feet, north 31 feet, west 3 feet, north 68 feet, west 46 feet to beginning, Block 158, Original Plat, City of Lansing, Ingham County, Michigan From "DM-4" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

BY COUNCILMEMBER CANADY

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-11-91—401/405 East Mt. Hope Avenue be rezoned from "C" Residential and "J" Parking District to "E-2" Local Shopping Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-11-91—401/405 East Mt. Hope Avenue be rezoned from "C" Residential and "J" Parking District to "E-2" Local Shopping Office District be now passed.

YEAS: 7

NAYS: 0

ABSENT: 1

ORDINANCE #2338

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-11-91, 401/405 East Mt. Hope Avenue
Parcel Numbers: 3301-21-463-004, 3301-21-463-001, 3301-21-463-007, and 3301-21-463-010

Legal Description: Lots 30, 31 and 32 of Reo Park Addition, City of Lansing, Ingham County, Michigan

From "C" Residential District and "J" Parking District to "E-2" Local Shopping District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

BY COUNCILMEMBER CANADY

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-91—1112 and 1114 Rose Court be rezoned from "DM-4" Residential and "B" Residential District to "J" Parking District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-91—1112 and 1114 Rose Court be rezoned from "DM-4" Residential and "B" Residential District to "J" Parking District be now passed.

YEAS: 7

NAYS: 0

ABSENT: 1

ORDINANCE #2339

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-12-91; 1112 and 1114 Rose Court
Parcel Numbers: 3301-08-458-081 and 3301-08-458-091
Legal Description: Lot 4, Block 2, Plat of McPherson's Saginaw Street Addition, City of Lansing, Ingham County, Michigan

From "DM-4" Residential District to "J" Parking District.
Lot 5, Block 2, Plat of McPherson's Saginaw Street Addition, City of Lansing, Ingham County, Michigan
from "B" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

Item XIV A-4 from the Committee on Physical Development, Amendments to the Planning and Zoning Code, was pulled from the Agenda at the request of Councilmember Canady and referred to the Committee of the Whole

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to repeal Chapter 834, of the Code of Ordinances for the purpose of eliminating the licensing of mechanical devices by the City of Lansing be placed on order of immediate passage.

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to repeal Chapter 834 of the Code of Ordinances for the purpose of eliminating the licensing of mechanical devices by the City of Lansing be now passed.

YEAS: 6

NAYS: 1

ABSENT: 1

ORDINANCE NO. 847

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REPEAL OF CHAPTER 834 OF THE CODE OF ORDINANCES FOR THE CITY OF LANSING FOR THE PURPOSE OF ELIMINATING THE LICENSING OF MECHANICAL DEVICES BY THE CITY OF LANSING.

The City of Lansing ordains:

Section 1. That Chapter 834 of the Codified Ordinances of the City of Lansing, Michigan, is hereby repealed and declared null and void and of no effect.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. The repeal of this ordinance shall be effective April 1, 1992.

CONSIDERATION OF LATE ITEMS, IF ANY

1/ From Councilmember Schmidt a letter from Catherine R. Curtis of 1513 Herbert regarding the proposed Cat Ordinance

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ From Councilmember Schmidt a letter from Neighborhood Watch #120 regarding a public nuisance at 811 W. Shiawassee

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ From Councilmember Schmidt 2 unsigned letters regarding dropping the designation Logan St. from Logan St./Dr. Martin Luther King, Jr. Boulevard.

REFERRED TO THE COMMITTEE OF THE WHOLE

4/ From Councilmember Beal a resolution from the Committee on Intergovernmental Affairs approving the appointment of Roy Croop to the Capital Region Airport Authority

HANDLED AS RESOLUTION #051

5/ From Councilmember Beal a request that Council vote to reconsider Ordinance #2336, Z-2-90, 1900 N. Larch and 1800 Block of Thompson

COUNCILMEMBER BEAL'S MOTION TO RECONSIDER THE REQUEST FOR Z-2-90 WAS DEFEATED BY A VOTE OF 5 NAYS/2 YEAS

MOTION OF EXCUSED ABSENCE

By Councilmember Canady

To excuse Councilmember Ford from tonight's proceedings

Carried unanimously

PUBLIC MAY COMMENT

William Bernstein of 420 Baker St. accused Council of discrimination. He stated that he was unfairly convicted of disturbing a Public Assembly when the original charge was trespassing.

Lester Hansens of 3135 N. Grand River said that more people should show their appreciation of the job that Councilmembers do instead of condemning them. He thanked the Council for its efforts on behalf of the City and its citizenry.

Lloyd Teets of 116 E. Elm St. told Council that his hearing for Disturbing a Public Assembly, originally scheduled for Wednesday, January 22, 1992, has been postponed. He noted that City Attorney Knot has filed a motion to allow Councilmember Belen to be excused from testimony at the hearing. He stated that he looks forward to the Mayor's State of the City Address to be given at the Council meeting scheduled for January 27, 1992 and said that he feels the Mayor did not achieve the goals set forth in his 1991 State of the City Address.

Beverly Mille of 413 Pearl said that she would like to see the City develop an alternative dumping site for toxic and contaminated soil taken from sites such as the Diamond Reo site. She said they are currently dumping at Granger Landfill and contaminating other people's water sources. She feels that awards like the one the City got from the Department of Natural Resources last week would be more significant if the City used more consideration in the selection of their dumping sites.

REMARKS BY THE EXECUTIVE ASSISTANT TO THE MAYOR

Mr. Boyd responded to Ms. Mille's remarks saying that the award that the City received from DNR was for being the first Municipality to successfully pursue the owner of a site and hold them financially responsible for cleanup of their contamination. He added that, to his knowledge, there has been no ground contamination caused by the City's dumping of the cleanup material. He named the appointed members of the Mayor's Blue Ribbon Committee/Task Force; William H. Coultas, Michael Guthrie, Harold Hailey, Tom Swincicki, Bill Roche, Mary Margaret-Woll, John O'Malia, Priscilla Holmes, Richard Current, Nick Khouri, Scott D. McGill.

REMARKS BY COUNCILMEMBERS

Councilmember Belen asked Mr. Boyd to find out what company was responsible for the interruption of electrical service to parts of the downtown area last week when they inadvertently cut electrical lines and cables serving the area. This has happened more than once recently and she wants to make sure it is not a company

employed by the City.

Councilmember Brockwell asked to have someone from the Public Service Department contact Paul Ridenour of 2916 Alfred St. He is handicapped and unable to get his recyclable material out to the curbside for pickup. He announced the cancellation of the meeting of the Public Service Committee scheduled for Wednesday, January 22, 1992. He said that he recently attended the Martin Luther King luncheon, a Swearing in Ceremony at the Polish Hall, and the awards banquet for the Brotherhood Against Drugs at the Kellogg Center and enjoyed them all. He commended the members of the Brotherhood Against Drugs for speaking out about their personal experiences in order to help other people.

Councilmember Schmidt asked that the Public Service Director speak to the people who operate the City's snow plows about slowing down and being more careful. They are driving too fast and plowing in sidewalks and driveways that senior citizens have spent a lot of time and effort to clear. She said that the snow they plow back onto driveways and sidewalks turns into ice that elderly people cannot lift to cleanup. Mr. Boyd replied that the plows are trying to respond in a timely manner to the public need for snow removal, not consciously trying to make things difficult. He will ask Howard McCaffrey to speak with them about being more careful in the future.

Councilmember Beal appealed to all residents to be conscientious about clearing the snow from their sidewalks.

ADJOURNED 8:25 p.m.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

24

Proceedings, January 27, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
January 27, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Mayor McKane

Lansing State of the City Message, 1992
Presented by Mayor Terry J. McKane

Good evening. I greet Council, staff, and members of the Council audience. I also greet the many citizens who are at home and are watching this Council meeting on cable television.

As most of you know, our City charter annually requires me, as your Mayor, to present a "State of the City" message during January. Thus it is my responsibility—it also is my privilege—to present you with my eleventh such message this evening.

I will begin with an observation. I was elected to the Council in 1971. Only one Councilmember who served with me then is still with us this evening. I was elected Mayor in 1981 and took office in 1982. Again—and I'll bet some who are watching at home or in our media seats are surprised to know this—only one Councilmember who already was serving when I was elected still is with us on the Council this evening.

So as we start a new year, I want to salute you, Ms. Belen, for your long and distinguished service on behalf of the people of Lansing. You and I (and former Councilmember and now Clerk, Jim Blair) are the City's only officials who were elected and have been working here since before the decade of the 1980's.

Speaking of people who have been here a long time, I want to mention my dad, Kenneth McKane. There aren't more than a handful of people who have attended as many Council meetings in person than he has in the past twenty years. My dad is here again this evening, together with my wife, Virginia, and our children Katie and John (our daughter, Heather, is away at college). I thank them and other family members for their advice and their support over many years.

I start this way tonight not just to recognize one of Lansing's great public officials or to improve my dad's "name I. D."; but also in order to remind us all that our positions here are transitory. The City of Lansing and its people will go on. City taxes will continue to be collected and City services will continue to be delivered. Hopefully there even are many "State of the City" messages yet to be delivered by Mayors and to be carefully contemplated by

Councilmembers.

But we—as democratically-elected representatives of the people of Lansing—will only be here a relatively short time.

Importantly, the problems and opportunities I will discuss this evening are not new ones. Having served in this building and regularly attended your meetings for more than twenty years now, I am coming to understand this a little better. Nearly every problem we deal with has a history. Often that history is a long one and involves many people, different viewpoints, and some difficult twists and turns. Sometimes, it is said, the histories of some issues also involve hidden agendas, including individual political aspirations and financial gain.

Some of us, especially when we are younger, tend to see "new" problems and demand "new" solutions to solve them. The fact is, though, that municipal governments were established to perform a rather specific set of functions; we have been doing those functions for many years; and we will continue to do them for many years to come.

This is not to imply that our work is not important. What municipal governments do is essential. And it is not to suggest that our tasks as City policy-makers and administrators don't change and evolve. They do. Nor is it to say that we shouldn't always be looking for new and better ways to do things and to solve our problems. We should and we do.

I might here note, as I will more fully in a moment, that we are in difficult times. Thus if we initiate something we usually also are forced to ask ourselves: "What existing program are we going to be willing to cut to pay for this?"

So-called "state of" messages have become pervasive. We are in a season that has or soon will see a "State of the Union," a "State of the State," a "State of the School District," a "State of the College," and so on. Some view these annual messages as having great importance and review or "grade" them on such factors as how many new initiatives they propose.

Such messages are important. They are good discussion points for us. And they help our fellow citizens to better understand City issues and how we are working to resolve them. Having given ten messages, though, I've come to see that it is not helpful to set out a new and different agenda each year.

What I'd like to do tonight is follow what our charter requires—that is, present a summary of our City's state of affairs. I'll also review what we've been doing and suggest some careful modifications. These will help our constituents to live in a better community and to receive more cost-effective services in 1992 and beyond.

In this regard, I want to mention that my speech tonight is only a part of my over-all message. You who are sitting with me in these Council chambers realize this. But those of you watching at home may not know I also have prepared—as I do each year—a second

part of this message. It is titled "Lansing City Government Activities in 1991." This fifteen-page and single spaced paper details the many activities of City staff over the past year. If any viewer would like a copy of that part of my message, I invite you to call my office tomorrow and we'll mail one out to you.

Financial Conditions of the City

Our City Charter doesn't say much about this message except that the Mayor must deliver it in January. The Charter does specifically require me to include a "summary of the financial conditions of the City." I discuss that in the fifteen page paper I just mentioned; but let me also say some things here about this important topic.

As Councilmembers know, more than three-fourths of the revenues we use to provide our services come from just three sources. Those sources are City residential and industrial property taxes; resident and non-resident income taxes; and so-called "shared revenues" that come from the State of Michigan.

Because of increased business activity and inflation, each of these revenue sources has grown over the past decade. But none has grown as rapidly as have the needs and demands for services of our residents. Thus, as we all know, we have had much difficulty over the past decade in keeping up with all the demands on City Hall.

Significantly, each of these sources of revenue has weakened over the past several months or is predicted to weaken during 1992.

The Legislature and Governor, for example, have "frozen" property tax assessments for 1992. I will not here argue against the need for property tax relief. Such relief is especially important for seniors and others living on fixed incomes. In the long run, such a freeze is likely to assist to stabilize our neighborhoods. But it also is important that I here note that this freeze likely will result in further financial difficulties for some of our City services.

Second, our income tax collections for the last quarter were down roughly \$1 million as compared to those of a year ago. This was due in large part to changes in the national economy. Our income tax collections also have been influenced by some State government reductions and by an extended model changeover at Buick-Olds-Cadillac group.

As has been well publicized, the State also is going through some difficulties regarding a balance between needs and available funds. One result of this is that the Governor and Legislature either have eliminated or have reduced certain of the State's payments to local units of government.

The problems of our declining revenues have been made worse by increases in several cost areas. As one example, staff have called some employee health care costs "hyper-inflationary." Those are fancy words; but what they mean is that an important City cost is going up a lot faster than the income available to pay for it. All of us who must live on limited budgets understand the concept.

Because of cost increases like these, we continue to defer or underfund some important goals. These include infrastructure work, records maintenance, and prefunding of retirement health care.

We all know a Federal government and some families that are in debt. But a Michigan municipal government cannot print money

and cannot operate with a deficit. We don't have a "credit card" to carry us over to better economic times. Both State law and common sense require that we annually maintain a balanced budget.

These trends I have mentioned are representative of fundamental changes that are occurring in our national, state, and local economies. A few moments ago, I implied that I would not be using this message as a way of announcing many new initiatives. But I will mention an initiative that you learned of at a recent Council meeting: the formation of a Mayor's Task Force on Finances.

I have asked this volunteer strategic planning group to better and more precisely assess our local economic climate and financial position. Members also will make recommendations regarding such possibilities as further inter-governmental cooperation and technology-driven efficiencies.

This is a small group of a dozen and is made up mainly of persons who are public and private finance experts. It includes, as examples, bank financial officers, B. O. C. finance staff, an accountant, and a Michigan Department of Treasury staffer. Because of my commitment to neighborhoods, I also have included two knowledgeable and long time neighborhood leaders, Mary Margaret Murphy-Woll and Priscilla Holmes.

This group will look at short term solutions to our problems. Later this year, I intend to launch a larger community effort to search for longer-term solutions. As has been said before, we no longer can afford to provide all the services we traditionally have and in the same ways that we have.

It is not politically popular to present hard facts and choices. But the fact is that we either will raise new revenues or we will stop providing some services. Thus far, few people wish to do either. And those who agree we must make changes cannot always agree on what they will be. I believe we must begin to meet as a community and we must begin to find a consensus regarding the best "formula" for both financial savings and the best services.

If we fail to find a consensus on some of these issues, we are going to be faced with difficult budget fights for many years to come ... unless there is a dramatic and long term upturn in our economy coming that our Finance staff hasn't yet heard about.

Before I leave the topic of finances, let me mention another topic included in our Charter: re-organization. Over the years, with your advice and support, I have made numerous changes and re-organizations in order to increase our efficiency, effectiveness, and economy of operation. However, as part of this Message, I will not recommend any additional such changes. I present another message to you on March 23—my eleventh annual Budget Message. I may recommend further changes as part of it.

Improving Lansing's Neighborhoods

In every one of my State of the City messages, I have emphasized the importance of neighborhoods. And I have stated that neighborhood maintenance and improvements are our top priority in City government. Nearly everything we do, in fact, is designed in one way or another to assist our neighborhoods.

These programs aren't always glamorous or new but if those of you who are viewing would read through the "City Activities" part of my message that I mentioned earlier, you would learn about several

initiatives that we have been pursuing. I'd like to take a few moments and mention two of these . . .

Housing partnership. Last June I announced a City-wide partnership to restore some of our older neighborhoods. We created a Housing Forum. It has more than a hundred people working on seven sub committees to look at critical housing needs.

Our partnership has created an eight point program in several areas. It involves these points: (1) targetting of specific neighborhoods and boundaries; (2) involvement of already-existing neighborhood institutions, including churches, businesses, or other organizations; (3) a resident-written plan of action; (4) emphasis on code compliance and assignment of City code compliance staff; (5) an emphasis on security including, when necessary, extra police protection; (6) aid, in the form of available grants and loans, to homeowners and such groups as non profit housing corporations; (7) encouragement of home ownership, through lease-to-purchase, energyefficiency help, and other means; and (8) assignment, where appropriate, of a community policing officer.

In summary, these points mean we are coach, facilitator, financial packager, and catalyst in bringing together people and helping to re-create older residential areas. One neighborhood in which this program has begun to work successfully is the "Green Oaks" neighborhood on our East Side. I am truly grateful to those who have been working with us to retrieve their neighborhoods. With the continued involvement of them, Council, and staff, I'm sure we can expand this success to many other older neighborhoods.

Neighborhood anti-pornography efforts. I suspect my efforts to reduce the number of pornography outlets in Lansing are becoming well known. I say that because I get congratulatory notes and municipal inquiries on the subject from all over Michigan.

Some people see our efforts as violations of free expression. I don't want to appear as though I don't appreciate the value of freedom of expression. I certainly do. Nor do I wish people to think I am unconcerned about the moral aspects of pornography. I am truly concerned. However, as Mayor I am most concerned about what the effects of pornography outlets are on their surrounding neighborhoods. Anyone who lives in such an area and has had his or her spouse or children propositioned or shouted at in their yard knows exactly what I am talking about.

I recently was told the owner of a local pornography shop had said his business was "good because it creates jobs and economic activity." I am offended by such thinking. Rapists cause a need for economic activity too for defense lawyers, prison construction workers, tabloid TV show advertising, and, even, highly paid prisoner-management executives.

The Governor and Legislature have given us some new legal tools to combat pornography in our community. I intend to continue to work with you and the City Attorney to use these to their fullest extent. Let the pornographers call me whatever names they will and let them support whichever of my political opponents they wish to; I will not back down on this issue.

Re-cycling. I think this is a good place to mention something we started last year to help both our neighborhoods and our environment: our curbside re-cycling program. You will recall that

this was a genuine citizen initiated program. We re-cycle because there was a referendum on the issue in 1990—and a majority of voters told us to create such a program and to make it a part of our Public Service Department.

As we all know, this program has begun with some controversy. I remind you, though, that by starting when we did, we were able to get \$2.3 million in State funds. This grant likely would not have been available to us had we put off our decision; and it has been very helpful in reducing the burden on our taxpayers. The program also is important because it means we have begun to deal—in a real way—with mounting groundwater, land use, and other environmental problems involving the safe disposal of waste.

As we began our re-cycling program, we also started a yard waste collection program. There is a cost associated with this too. But, I suspect, there would have been a greater cost down the road had we not started now. This cost would especially have been felt in terms of the expenses of siting new landfill areas.

I commend the work of my Mayor's Advisory Committee on Re-Cycling. With their help, I am hopeful we can do more to make this program work better at lower cost. It also is possible that as we learn more, we can make the program into one that is more sensitive to our environment—which is, after all, the real reason our voters asked for it.

Public safety. The most important thing we can do for neighborhoods is insure their safety. None of us wants to live or work in an area where there are drugs, homicides, pornography stores, and other problems of crime and public safety.

Unfortunately, most American cities including ours have seen an increase in these problems over the past couple decades. Lansing has been fortunate during these times in that we have had outstanding police and fire departments and leadership . . . but our over all crime and public danger rates still are far higher than any in this room or who are watching would prefer.

Let me again refer to some numbers that appear in the other part of my message. During 1991 the members of our Police Department responded to 52,700 emergency calls for service and they took more than 70,000 non emergency calls. I should also mention that our police last year assigned 7,700 cases for intensive review and were able to bring 5,500 to closure.

Something we worked together to start several years ago was so-called "community policing." We now have it in eight of our neighborhoods. I'm reluctant to call this a new idea or an initiative, because it really is an old idea whose time has come 'round again.

Under this concept, we have an officer patrol a neighborhood both on foot and by car. S/he works hard to get to know the people, businesses, and institutions of the area on a close, first name basis. The presence of such a knowledgeable officer tends to discourage crime. When problems do arise, though, the officer's close knowledge of the area often makes them easier to solve.

This concept got a great "plug" just today in the State Journal. Geraldine Neal, of the Fabulous Acres Neighborhood Association, said, "My neighborhood turned around when we got a community policing officer and we got the neighbors involved."

While I'm on the topic of neighborhood safety, I also will briefly

mention the work of our Fire Department. Last year the men and women of that Department responded to 4,000 fire alarms and made 8,000 ambulance runs. Those are impressive numbers.

So, as I leave the topic of neighborhoods, I am ready to admit we are not unique. We have some genuine problems. But we are addressing those problems. And, I submit, the men and women who staff our Police, Fire, and other departments are doing a great job in making our City a good and safe place to live.

Our Downtown and other Business Areas

As I have campaigned neighborhood to-neighborhood and door-to-door over many years, I have often heard this remark (or a variation of it): "Shoppers all have gone to the new enclosed malls; so why do you in City government continue to put efforts into attempting to keep the downtown alive?"

At the risk of sounding like the proverbial "broken record" (a saying that my children don't understand but was popular back in the days before CD recordings and M-TV), I want to say why. It is, simply put, this: a wheel cannot work without a hub, spokes, and a rim.

Some say we spend money on our downtown. That's true. But it's also true that we get more money from the downtown from property and income taxes—than we put into it. We use that extra money to support public safety and other services that benefit people who live and work in all parts of the City.

I see our downtown (and other business areas) as the hub of the Lansing wheel. I see our neighborhoods as the spokes and the rim. For the wheel—for the City—to run properly, all its parts must be in good working order and must bear a share of the load.

Thus we also have participated in some activities in recent months to improve our downtown and other business areas. Before I mention those I want to also say something about the process of cooperation between City and State. When I took office in 1982, I walked across the street and met with Governor William G. Milliken. Thus began a productive relationship.

When James J. Blanchard was elected Governor, I again went across the street—several times—to work with him and his staff. And with many members of the House and Senate. One result of my walks was Governor Blanchard's own "historic" walk across the street and his visit to these Council Chambers. Much good has come out of that meeting and our mutual work.

Last year, as you know, another Governor was inaugurated. I have once again walked across the street—this time across Michigan Avenue to the Olds Plaza instead of across Capitol Avenue to the State Capitol—and met with him. As has been reported, Governor John M. Engler and I had a most cordial and productive session. I am continuing to work with him and members of his staff. I also am continuing to work with members of the Legislature. I am confident that our excellent City-State relationship will continue.

In this regard, I wish to make a comment about our downtown and its relationships to area malls. Many people have told me it is more "convenient" and that "parking is cheaper" if they shop at the malls instead of our downtown and other City shopping areas.

In one sense it is true that parking is cheaper at a suburban mall than it is in a downtown. What is left out of such a statement, though, is the often high environmental and social costs of

suburban malls and mall parking. Downtowns become expensive because property parcels are small; buildings are close together and multi-storied; and parking, though necessary, often does not reward development as well as high-rise office space.

In addition, it is difficult—often impossible—to convince some downtown property and store owners to do things that a mall manager can do to make shopping more convenient. We can't, for example, require stores to be open during specific business hours.

President George Bush and others have suggested that we "Buy American." I won't engage in "Mall Bashing" because I know that economic activity in any part of our region will help activity in all our parts. I know, for example, that many City residents are employed in our surrounding communities. At the same time, though, I think it fair to suggest you "Shop Lansing" whenever possible.

I recently saw a quote in a paper from a new downtown businessperson saying the City hadn't done anything to help him. I don't want to appear defensive; but perhaps some new people, including some viewers, don't know our recent history. It even is possible that some newer Councilmembers don't recall all we have done. At any rate, I here want to mention four very significant things we've done over the past decade—and are doing now—to improve our downtown opportunities.

New employees. One of the things that happened as part of our City-State efforts was an examination of the best location of State offices and staff. As part of that effort, some Departments were consolidated and, often, some staff were put back in the downtown area. Of course, the downtown is not always the best place for all State operations. But this examination and changes resulted in an influx of new downtown employees and economic activity.

New buildings and tax base. A related aspect of what I just outlined, is new building construction in our downtown. As a result of our work and agreements with State government, some of the new buildings that house workers are privately-owned buildings and they pay full property taxes.

In this regard, allow me to share a few "statistics." They may impress you. They certainly caught my attention when I saw them added up. Seventeen new buildings have been built in our downtown over the past eight years. There has been a \$300 million investment in those buildings. Three more buildings are planned to be built in 1992—at an estimated investment of \$105 million.

Tourism. Over the last dozen years, I think it fair to say, we have created a new industry in downtown Lansing. This industry spills throughout the community and into surrounding areas. It is a convention and cultural industry. Thus we now have many thousands of people who visit our region—to meet, to inter-act with State government, or to check out a cultural event.

Let me give but one example of many that I could use. In 1992, Lansing will welcome the Womens' International Bowling Congress Tournament. Bowling is a great sport and the 70,000 people who will come to our City over a three-month period to participate in the tournament are going to make a tremendous economic contribution. They especially are going to make a contribution to merchants who are fully prepared to serve them with outstanding goods, services, lodging, and meals.

Parking. Parking is perhaps the favorite topic of persons who would

discuss any downtown. From New York City to Traverse City, every city has a car sitting problem. If you have had to drive around endlessly looking for a place to put your car or if you have gotten a ticket because you returned to it a minute late, you have experienced frustration and you know exactly what I'm talking about. Unfortunately, nearly every person who is hearing me tonight has had that experience and knows that frustration.

Most of us prefer not to pay the full environmental and financial costs of driving automobiles. We all want parking that is a bit cheaper and more convenient than economics might dictate. We want a subsidy, in other words. We would prefer that someone else—perhaps our neighbors or our great-grandchildren—pay it.

In fact, as Councilmembers know, the City long ago made the decision to participate in a downtown parking program. Because of our size, we are able to create parking in a relatively inexpensive way. But we also have refused to "subsidize" parking from our general fund. Lansing municipal parking is a separate budget. No general tax money is put into it. To be fair to parkers, we don't take any money out of it either. We attempt, in other words, to provide good parking to shoppers, employees, and visitors at precisely our cost.

Staff estimates that when I took office in 1982, we had roughly 6,500 municipal parking places in our downtown. Today we have 8,100—despite the fact that we built the Radisson Hotel, Victor Building, Grand Plaza, and others on what then were municipal parking lots. When our current plans are fully realized, we will have another 3,500 4,000 spaces.

In addition, we have done much to make downtown driving and parking more convenient. We put attendants in all our garages. We increased the time limits on meters. We created a system so that if you got a ticket and paid it right away, it cost much less. We moved our Violations Bureau into the convenient North Grand Garage. We started a merchant token system. We opened the south mall to through traffic. We re-designed our tickets and other forms to make them easier to understand. We created better maps and other guides. And we established a "Fast Trak" system of low cost parking that lessens the number of cars in the downtown.

We have had a great deal of private citizen volunteer help in all our downtown improvement endeavors. Numerous individuals and committees have helped. These include the committee I established in 1982 to help attract a downtown hotel, Lansing 2000, the Downtown Mall Advisory Board, the City-State task force, the Downtown Merchants Association, the Economic Development Corporation, the Convention Visitors Bureau, the Chamber of Commerce, the Parking Advisory Committee, several State workers, and staff of the Lansing State Journal. Currently we are exploring the possibility of re-establishing a Downtown Development Authority. (I likely have here neglected some persons and groups who have helped. I apologize for any oversights.)

And I don't want to leave this section without mentioning the excellent cooperation of our Lansing-area labor groups and leaders. We could not have designed and built many of the things I have mentioned without their active help, cooperation, and leadership.

I know that there is much more that we can do to make our downtown a more interesting and convenient place. We are going

to continue to do everything we can and continue to do it as quickly and as openly and as fairly as we can in a democratic society.

Having said that, though, I think it also fair to say we already have done a great deal and made excellent progress in making ours a prosperous downtown. As I have said before and will again this evening, I will continue to welcome new suggestions.

Some Additional Activities and Observations

Activities. As mentioned at the start, I would not burden viewers with a complete description of City activities. I suspect if I did I might be accused of reading a list of dry statistics and attempting to pass it off as something interesting. But I think what our staff does is interesting; let me provide a few examples from the many things they did for us in 1991.

As examples, staff in 1991: completed 16,700 housing violation inspections, registered 750 rental properties and inspected 10,000 units, did a Crego Park soil contamination study, investigated 35 written civil rights complaints by citizens, gave 37 smoke detectors to low income families, re-constructed nine miles of streets, brought underground gas storage tanks into compliance with Federal standards, repaired and restored the North Grand Parking Garage, sold 164,000 rounds of golf at four courses, repaired or installed 82,000 square feet of sidewalk, completed the River Trail into East Lansing, made 106 improvements in traffic flow and safety, hosted 2,000 athletes from around the Country, helped with a RiverFest, treated 9.4 million gallons of sewage, made the west building in the City Market contaminant free as required by the State, conducted raids on 89 drug houses, and logged 1.6 million hours on our main computer.

Child and Family Community Partnership. In my 1991 Message, I announced I would be initiating a child and family community partnership. I have done so. It is the purpose of this initiative to alleviate a multitude of problems that are faced by many of Lansing's children, youth, and families.

Our partnership involves men and women from City Hall, Lansing School District, Lansing Community College, Michigan State University, area hospitals, neighborhood organizations, churches, non-profit helping agencies, and many others. We have met many times and have created seven task forces to work on such areas as access to education; substandard housing; alcohol, tobacco, and other deadly drug use; and unemployment. We already have gotten a \$2 million Federal grant to assist with our anti drug efforts.

I am proud of what we have accomplished in less than a year. I plan to stand before you a year from now and report on additional victories in our efforts to save our children and, ultimately, our families.

A note on "privatization". A "buzzword" that has been much used in recent years is "privatization." Persons who use it usually are talking for (or against) the idea of taking some services that are done by public employees and turning them over to private companies and employees.

Some persons suggest we ought to turn over a great many of our activities to the private sector. In fact, I get—as do Councilmembers occasional letters and proposals from companies that would like to "take over" this or that part of City government. Usually it is a part that already is doing well and has much profit potential. I also should point out that some have spent considera-

ble money to condemn "privatization."

I first want to point out that this is not a new idea. We traditionally have had private concerns do much of our work. These may strike some as sounding a bit ridiculous, but, as examples, we traditionally have purchased automobiles, specialized legal and financial services, computers, paper, parking ramp design, sewer engineering, young trees, radios for emergency dispatch, some janitorial services, photocopying machines and maintenance, jail prisoner meals, and many other goods and services . . . from the private sector.

An "advantage" of privatization is that some private employees can be hired for less than public employees. And, sometimes, private companies can hire specialized workers and use them in more efficient ways than we can. However, private companies often use efficiencies and wage difference as "profit" for owners and, thus, there may be little or no ultimate savings to the taxpayer.

Sometimes there is another disadvantage. It is that "privatization" may place another layer of management between a community's elected officials and the service provided. It is very important that some of our services—police and fire are two good examples—must remain under the close control of duly elected representatives at all times.

Of course, I am interested in "privatization." But what I really am fundamentally interested in accomplishing is providing Lansing residents with the best, most responsive services possible at the lowest cost. Over the years, thus, I have examined all our services on an ongoing basis. A few have been partly "privatized." Some have become—I will coin a new word here—more "publicized" than they were.

During 1991 staff and I looked at several areas for possible privatization. In this regard, I note what happened when I said as part of my 1991 budget that I would consider "privatizing" the City Market. Almost immediately, some outstanding people got involved in our Market Advisory Committee. They, the vendors, and staff redoubled their efforts and launched an active "Friends of the City Market" organization.

These concerned citizens have been aggressively working to attract new vendors and activity. They asked us to put our "privatization" efforts on hold for the time being. Based on their dedication and hard work, I have been pleased to do so. (And this is a good place to remind you all that our City Market is a most interesting place to shop for fresh farm goods and other products.)

Our careful process of examining all services will continue. There may be a few changes. Changes may occur in both directions. But, frankly, I doubt if I will recommend major changes during the foreseeable future. I will, of course, continue to welcome any suggestions regarding this topic.

Regional cooperation. A second topic that gets some attention from helpful observers is regional inter-governmental cooperation. The advantages and problems inherent in this topic are similar to those in privatization. On the one hand there are potential savings in group activities and purchases; but, on the other hand, there also is value in keeping governmental services close to the people and their elected representatives.

We have entered into many cooperative agreements with other

governments over the years. We have, for example, an outstanding Capital Area Transportation Authority, that provides bus service in the region. I always have been proud to note that I was one of several people who created this system in 1972.

We have an emergency dispatch system that includes several governments. We have a so called "Metro Squad" that lets police departments work together to combat drugs and drug-related crimes. We provide services to senior citizens in a cooperative, intergovernmental way. We work with other governments and agencies to provide needed social and human services, land use and transportation planning, training for the unemployed and underemployed, and economic development programs.

I am not announcing any new intergovernmental initiatives this evening. But, again, I want you to know this remains a priority with me. So long as we can provide services that are responsive to our constituents, I remain open to further cooperative efforts.

Conclusion

Sometimes residents, other officials, and reporters ask me if I have a "vision" for our City and region. "The vision thing" has become a topic of humor in some quarters; but I'm not ashamed to admit that I do have a vision for Lansing. It is one that has been unwavering and clear for many years; in fact, everything I have done as a member of Council and as Mayor has been aimed toward the successful accomplishment of that vision. I believe it is one that you share and one that you, too, have been working toward.

What is my vision? It is for an economically strong community with fulfilling, well-paying jobs for our residents. It is for the kind of property and jobs tax base that will support strong levels of service as defined, hopefully, by community consensus.

What is my vision? It is for a community of close-knit, supportive families living in good homes in clean, safe, drug-free neighborhoods. It is for families that can send their children to outstanding schools and to first-rate recreation and cultural events and facilities.

What is my vision? It is for a beautiful, well-maintained, people-filled downtown that we can proudly show off as the "front door" for people who come to visit their State Capitol or for any other purpose.

What is my vision? It is for a community of people who are free to worship God, each in his or her own way. And for a people who are united in love and mutual respect for one another and who follow the Golden Rule, that would have us treat others as we would have them treat us, as their code of conduct.

Those are some essential aspects of my vision. They are what drove me to seek this position and they are what drive me to work at it every day and many hours each week. Thus I don't see my position as simply a "job." Rather, it is my mission in life.

Many of you have joined me over the years as we have marched toward our mutual goals. Others, I am sure, will be joining with us during 1992.

I continue to be grateful for your leadership, your support, your prayers and good wishes, your understanding, and, yes, your forgiveness when I fall short of your hopes.

Let us continue to march forward toward our vision together—

keeping in mind the lessons of the past, being practical about the challenges and pitfalls of the present, and always staying optimistic about the possibilities for the future.

May God bless Lansing and all of its people. Thank you.

Council President Crawford called for a 10 minute recess. Council recessed at 7:50 P.M. and reconvened at 8:05 P.M.

MINUTES

By Councilmember Belen

To accept the printed Council Proceedings of January 6, and January 13, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a request that Item XII C-2, resolutions of tribute to Lansing area Middle School and High School students be moved up for presentation during the Special Ceremonies portion of the agenda

2/ From Councilmember Benavides a letter from Helen LeBlanc of 2021 Cumberland Road regarding a rezoning matter passed under suspension of the rules at the meeting held January 13, 1992

3/ From Councilmember Benavides a resolution accepting a Department of Natural Resources Fisheries Grant for reconstruction of the Grand River Park Boat Launch

4/ From Councilmember Brockwell a letter from Joseph P. Maguire of Wolverine Development Corp. requesting no name change for Martin Luther King Jr. Blvd/Logan St.

5/ From Councilmember Schmidt a resolution from the Committee on Public Safety appointing Fred Abood to the Board of Fire Commissioners

6/ From Councilmember Schmidt a letter from Jerry Procknow of 2911 Glenwood Ave. requesting no name change for Martin Luther King Jr. Blvd/Logan St.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. objected to the amount of late items introduced. He stated that the communication item he submitted for the agenda was listed improperly.

SPECIAL CEREMONIES

Doug Williams presentation regarding the Ingham County War Memorial has been rescheduled to February 3, 1992

At the request of Councilmember Benavides, City Clerk Blair read the resolutions of tribute to students of Pattengill, Gardner, Otto Middle Schools and Waverly High School. Councilmember

Benavides along with Executive Assistant to Mayor McKane, Cleophus Boyd, presented resolutions and commendations to representatives of the 4 schools.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Notice from the Michigan Department of Natural Resources of approval of the plans and specifications for the Lansing Combined Sewer Overflow Separation, Contracts B/91/119 and B/91/121

AT THE REQUEST OF CITY CLERK BLAIR THIS ITEM WAS PULLED FROM THE AGENDA

B. Petition signed by 302 Lansing residents requesting no name change for Logan Street/Dr. Martin Luther King, Jr. Blvd.

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

C. Petition for Special Land Use located at 1012/1016/1018 Walsh St., SLU-3-92, from David A. Nussdorfer of 3305 S. Pennsylvania to allow him to expand his off-street parking facility

REFERRED TO THE MAYOR AND
THE PLANNING BOARD

D. Letter from Lloyd Teets of 116 E. Elm St. submitting a typewritten copy of remarks he will address to the City Council at the meeting on January 27, 1992

RECEIVED AND PLACED ON FILE

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mr. Boyd discussed letter #4 on tonight's agenda naming the Director of Human Relations, Richard Letts, as Coordinator of the Americans With Disability Act.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #52

January 23, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Thomas Farhat
WRECKER SERVICE: Starter & Alternator Shop Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of January 21, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. P-2-91, Coachlight Estates No. 2—Tentative Preliminary Plat

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2. P-3-91, Coachlight Estates No. 3—Tentative Preliminary Plat

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. 1991 Comprehensive Annual Financial Report

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Appointment of Richard Letts as Americans with Disabilities Act Coordinator (ADA)

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no committee reports

RESOLUTIONS

RESOLUTION #53

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Federal Government has enacted legislation (P.L. 101-136) to protect the rights of people with disabilities called Americans with Disabilities Act (ADA); and

WHEREAS, ADA requires the removal of all barriers that would hinder the availability of services, facilities, programs and activities to people with disabilities; and

WHEREAS, ADA also requires municipalities to 1) provide public notice of intent to comply, 2) identify an employee responsible for the coordination of compliance and to handle complaints of alleged violations, and 3) establish a system for the resolution of complaints alleging non-compliance all by January 26, 1992; and

WHEREAS, ADA requires municipalities to perform a self evaluation of services, programs, activities and facilities to determine where barriers exist and how they can be overcome by January 26, 1993; and

WHEREAS, ADA requires municipalities to prepare a transition plan containing specifications for the removal of all structural barriers by July 26, 1993.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City

Council supports the objectives of the ADA legislation and pledges to work with the Mayor in complying with all ADA requirements and deadlines.

By Councilmember Ford

Carried unanimously

RESOLUTION #54

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jeffrey Hicks filed a claim against the City in the amount of \$342.00 in protest of a special assessment for a trash removal at his residential property located at 1137 North Pennsylvania Avenue; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the City's Code compliance inspector correctly cited the trash violation on the property, served notice as required by the Housing Code, reinspected the property and found it to still be in violation after the compliance period had expired, and the City's contractor cleaned the property as ordered, resulting in the special assessment; and

WHEREAS, the Committee examined photographs taken by the cleanup contractor of the trash on the property on the day of cleanup, and recommends that the appeal be denied, but that the claimant be allowed to pay the special assessment in installments as provided in Section 1026.07 of the City Code;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Jeffrey Hicks; and

BE IT FURTHER RESOLVED the City Assessor is requested to develop a binding installment payment schedule with Mr. Hicks to satisfy the special assessment; and

BE IT FINALLY RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #55

BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, Louis Padnos Iron & Metal Company-Summit Division, 1900 West Willow, Lansing, have requested that the Lansing City Council establish a Lansing Industrial Development District (IPR-8-91) pursuant to Act 198 of 1974, on property more fully described as Parcels 1 & 2 on Attachment I as attached; and

WHEREAS, due notice has been given for a public hearing on the proposed establishment of said District; and

WHEREAS, at such hearing held on the 6th day of January, 1992,

all parties interested were heard and given due considerations; and

WHEREAS, this Council finds that this property is properly zoned and otherwise meets the requirements established in P.A. 198 of 1974 and this Council's policies; and

WHEREAS, it is hereby determined that no construction, acquisition, alterations or installation to the facility has commenced at the time of filing the request to establish this District; and

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Lansing does hereby establish a Lansing Industrial Development District (IPR-8-91) on the above described property.

By Councilmember Belen

Carried unanimously

ATTACHMENT I

PARCEL 1

The following from "Assessor's Plat No. 11" in the Northwest 1/4 of Section 8, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan:

Lot 37, EXCEPT the North 300.00 feet thereof,
The South 350.00 feet of the North 650.00 feet of Lot 38, Lot 39, Lot 40, Lot 41,
The North 132.33 feet of lot 42, EXCEPT the South 46.00 feet of the North 61.55 feet of the West 124.50 feet thereof.

PARCEL 2

The following from "Assessor's Plat No. 11" in the Northwest 1/4 of Section 8, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan:

Lot 8, Lot 9, Lot 10
Lot 11, EXCEPT the East 173.25 feet thereof,
Lot 12, EXCEPT the East 361.00 feet thereof, ALSO EXCEPT the North 50.00 feet of the West 35.00 feet of the East 396.00 feet thereof,
Lot 15, EXCEPT the East 99.00 feet thereof,
Lot 16, EXCEPT the East 396.00 feet thereof,
The North 132.00 feet of Lot 26.

RESOLUTION #56

BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, Team plastics, Inc. has requested on behalf of the property owners, Dan Smith and Hubert Kerstead that the Lansing City Council establish a Lansing Industrial Development District (IPR-1-92) pursuant to Act 198 of 1974, on property at 5646 Commerce Drive, Suites, B & C, Lansing, MI more fully described on Attachment I as attached; and

WHEREAS, prior to acting on this request, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Development District (IPR-1-92), to allow for any residents or taxpayers to have a right to appear and be heard; and

NOW, THEREFORE, BE IT RESOLVED, that such hearing be held in the City Council Chambers, Tenth Floor, Lansing City Hall, Lansing, Michigan, on the 17th day of February, 1992, at 7:00 p.m., and that a notice of such hearing be published in a publication of general circulation in said City, and that the City Clerk give at least

(10) ten days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and that the City Council notify the owners of real property within the proposed Industrial Development District of this application and the scheduled public hearing.

By Councilmember Belen

Carried unanimously

ATTACHMENT I

5646 Commerce Drive., Suites B & C, Lansing, MI, 48910

That part of Lot 28 of Midway Industrial Center No. 1, a subdivision of a part of Section 3, Town 3 North, Range 2 West, Delhi Township, City of Lansing, Ingham County, Michigan, described as: Beginning at the Southeast corner of said Lot 28; thence South 89°51'30" West, 87.80 feet along the South line of said Lot 28; thence North 40°44'07" East, 88.70 feet to the Westerly line of Commerce Street; thence South 24°03'40" East, 73.37 feet along said Westerly line of Commerce Street to the point of beginning, and also beginning at the Southwest corner of Lot 28, Midway Industrial Center No. 1, a subdivision of a part of Section 3, Town 3 North, Range 2 West, Delhi Township, City of Lansing, Ingham County, Michigan, thence South 00°05'30" East, along the North-South 1/4 line of said Section 3, 600.00 feet; thence North 89°51'17" East, 133.11 feet to the centerline of the Mud Lake Drain; thence Northeasterly along the centerline of the Mud Lake Drain, 675.00 feet, more or less, to a point 4.50 feet South 89°51'30" West of the Southeast corner of said Lot 28; thence South 89°51'30" West, 352.35 feet along the South line of said Lot 28, to the point of beginning;

RESOLUTION #57

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, by resolution adopted April 14, 1986, this Council established several policies on smoking, including areas specifically identified on the 10th floor of City Hall in which smoking would be permitted; and

WHEREAS, paragraph 3 of this resolution reads as follows:

"The Lansing City Council hereby designates the following areas of the 10th Floor of City Hall as places where smoking is to be permitted:

- a. The uncarpeted portion of the main lobby area.
- b. The hallway area immediately outside the City Council's Conference Room.
- c. Private enclosed offices of Councilmembers and staff members that are NOT POSTED with 'no smoking' signs.

All other areas, of the 10th Floor are to be posted as 'no smoking areas.'

and

WHEREAS, the City Council desires to further restrict smoking in the public areas of the 10th Floor to conform to policies already in effect on all other floors of City Hall;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council

hereby amends Resolution #130 of 1986 by changing Paragraph 3 of the Resolved clause to read as follows: "On the 10th Floor of City Hall, smoking may be permitted in private enclosed offices of Councilmembers and staff members, provided that such offices are NOT POSTED with 'no smoking' signs and that the entry doors to such offices are kept closed under normal circumstances. All other areas of the 10th Floor are to be posted as 'no smoking' areas." and

BE IT FURTHER RESOLVED this action shall be effective immediately upon adoption of this resolution.

By Councilmember Ford

Carried unanimously

RESOLUTION #58

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during the holiday season, students at Pattengill Middle School conducted a food drive, organized and collected by the Student Council, for delivery to the Cristo Rey Community Center; and

WHEREAS, this effort to alleviate hunger in our community demonstrates a strong commitment by the students and staff of Pattengill Middle School to meeting people's daily needs through volunteer action; and

WHEREAS, the energy and selflessness of these young people serve as an inspiration to us all, as poor economic conditions create hardships for more and more of our families;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 27th day of January, 1992, hereby commends the students and staff at Pattengill Middle School, especially President Holly McClintic, Advisor Quintella Walker, and members of the Pattengill Student Council, for their outstanding community spirit shown during their holiday food drive.

By Councilmember Benavides

Carried unanimously

RESOLUTION #59

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during the holiday season, students at Gardner Middle School conducted a food drive, organized by Assistant Principal Reniero Araoz and collected by each homeroom, for delivery to the Cristo Rey Community Center; and

WHEREAS, this effort to alleviate hunger in our community demonstrates a strong commitment by the students and staff of Gardner Middle School to meeting people's daily needs through volunteer action; and

WHEREAS, the energy and selflessness of these young people serve as an inspiration to us all, as poor economic conditions create hardships for more and more of our families;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 27th day of January, 1992, hereby

commends the students and staff at Gardner Middle School, especially Mr. Reniero Araoz, for their outstanding community spirit shown during their holiday food drive.

By Councilmember Benavides

Carried unanimously

RESOLUTION #60

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during the holiday season, students at Otto Middle School conducted a food drive, organized and collected by the Student Council, for delivery to the Cristo Rey Community Center; and

WHEREAS, this effort to alleviate hunger in our community demonstrates a strong commitment by the students and staff of Otto Middle School to meeting people's daily needs through volunteer action; and

WHEREAS, the energy and selflessness of these young people serve as an inspiration to us all, as poor economic conditions create hardships for more and more of our families;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 27th day of January, 1992, hereby commends the students and staff at Otto Middle School, especially President Kara Armstrong and members of the Otto Student Council, for their outstanding community spirit shown during their holiday food drive.

By Councilmember Benavides

Carried unanimously

RESOLUTION #61

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during the holiday season, students at Waverly High School conducted a food drive, organized and collected by the Spanish Club for delivery to the Cristo Rey Community Center; and

WHEREAS, this effort to alleviate hunger in our community demonstrates a strong commitment by the students and staff of Waverly High School to meeting people's daily needs through volunteer action; and

WHEREAS, the energy and selflessness of these young people serve as an inspiration to us all, as poor economic conditions create hardships for more and more of our families;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 27th day of January, 1992, hereby commends the students and staff at Waverly High School, especially Ms. Sue Tomlinson and the Waverly Spanish Club, for their outstanding community spirit shown during their holiday food drive.

by Councilmember Benavides

Carried unanimously

RESOLUTION #62

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Natural Resources (DNR), Fisheries Division has a grant program to improve fish habitat and access; and

WHEREAS, the DNR has awarded the City of Lansing a grant to improve the boat launch at Grand River Park; and

WHEREAS, the total amount the DNR is providing toward the project is \$10,000; and

WHEREAS, the \$10,000 City match will come from the Park Millage for capital improvements;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorizes receipt and implementation of the grant in compliance with all requisites.

By Councilmember Benavides

Carried unanimously

RESOLUTION #63

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Fredric S. Abood to the Board of Fire Commissioners for a term to expire June, 1995, is hereby confirmed.

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides a request that Item XII C-2, resolutions of tribute to Lansing area Middle School and High School students be moved up for presentation during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND THE RESOLUTIONS OF TRIBUTE TO LANSING AREA STUDENTS WERE PRESENTED DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Benavides a letter from Helen LeBlanc of 2021 Cumberland Road regarding a rezoning matter passed under suspension of the rules at the meeting held January 13, 1992

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

3/ From Councilmember Benavides a resolution accepting a Department of Natural Resources Fisheries Grant for reconstruction of the Grand River Park Boat Launch

HANDLED AS RESOLUTION #62

4/ From Councilmember Brockwell a letter from Joseph P. Maguire of Wolverine Development Corp. requesting no name change for Martin Luther King Jr. Blvd/Logan St.

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

5/ From Councilmember Schmidt a resolution from the Committee on Public Safety appointing Fred Abood to the Board of Fire Commissioners

HANDLED AS RESOLUTION #63

6/ From Councilmember Schmidt a letter from Jerry Procknow of 2911 Glenwood Ave. requesting no name change for Martin Luther King Jr. Blvd/Logan St.

REFERRED TO THE MAYOR
AND THE COMMITTEE OF THE WHOLE

PUBLIC MAY COMMENT

Byron Jubeck of the Sir Pizza at 1101 W. Willow stated his concerns regarding drug dealers and violent crime in his neighborhood. He asked why the helicopter is no longer in service and why there are less police patrol on duty than there were three years ago. He said the neighborhood is full of teenage crack dealers that carry 9mm shotguns. He stated that residents need more protection. They need more on duty policemen and the helicopter needs to be reinstated. Councilmember Ford assured Mr. Jubeck of the Council's commitment to ridding the city of crime.

Andy Keebler of the 800 Block of Comfort St. stated that he wished to address Public Safety concerns. He thanked the Council for doing a great job. He said he is worried about the types of crime moving into the area. Drive by shootings, car jackings, people being shot through the walls of their houses, etc. He agreed that we need more officers on the streets, particularly at night. He suggested that the schedule for Beat Patrolmen needs to be revised to put them in the neighborhoods where they are most needed. He said most of our problems are from drugs coming out of the Detroit area and we should put up a sign telling Detroiters to go home.

William Bernstein of 420 Baker St. asked why Council will grant extra speaking time to other people but not to him. He said he received an unfair trial on the charge of disturbing a Public Assembly.

James T. Lyons of 411 Bartlett St. said that Logan St. was named after General Logan, a Civil War Veteran and U.S. Congressman who participated in the First Battle of Bull Run. He suggested that, if the memorial to General Logan could be repealed, so could the memorial to Dr. Martin Luther King, Jr. be repealed in years to come.

Lloyd Teets of 116 E. Elm St. said that we don't really know that Logan St. was named for General Logan. He does feel, however, that the renaming of Logan St. was mishandled. He commented on the Mayor's State of the City Address, and said that he gets fan mail because of his appearances at Council meetings.

Judy Davidson of 1416 Pierce Rd. spoke in opposition to dropping Logan from the name of Martin Luther King Jr. Blvd./Logan St. She said she has collected nearly 800 signatures in her petition drive to

keep the street name as is.

Andrew Anthos of 216 N. Holmes spoke regarding the lighting of the Capital Dome. He objected to the amount of money spent to refurbish the Capital saying this money could have been spent on programs for the homeless.

Larry Mueller of 1315 W. Willow also spoke about the need for police protection. He said the crime situation in Lansing is so dangerous that people cannot walk outside even in daylight hours and he does not feel safe letting his wife go out alone.

REMARKS BY THE EXECUTIVE ASSISTANT TO THE MAYOR

Mr. Boyd urged people to be cautious when making statements that may not be true. He said we cannot blame all of our problems on Detroit. We are experiencing the types of problems a city goes through when it begins to age. He said the city does not need a quick fix for its problems, it needs long term solutions.

REMARKS BY COUNCILMEMBERS

Councilmember Ford said that what Mr. Keebler was trying to say is that Lansing is not the kind of City that will allow drug dealers and violent crime to move into it. He said the community is telling its elected officials that they are unhappy and concerned for their safety when they go out to the store or attempt to conduct their daily business. He called for a plan to deal with the problems the City has now. He stated his appreciation to the people who came down tonight to talk about neighborhood concerns. These problems are still growing and need solutions.

Councilmember Schmidt complimented Mayor McKane's State of the City Address saying that it was a philosophical approach that everyone understood. He did not deny the problems the city now has or lay the blame for them on someone else. She announced the cancellation of the Public Safety Committee Meeting scheduled for Wednesday, January 29, 1992 at 2:00 P.M. She said she received a call from a constituent asking if snowmobiles were allowed on city sidewalks. She reported that this is a violation of Section 1037 of the City Traffic Code. She introduced Christine Cummings, her Legislative Assistant, and a Senior at Everett High School.

Councilmember Brockwell spoke regarding the problems Mr. Jubeck is experiencing in his neighborhood. He said neighbors have to rally together. Everyone should be involved in trying to stop drugs. He said that G.L.A.D. (Greater Lansing Against Drugs) marched last weekend in his neighborhood. He said neighborhoods have to become organized and involved with other neighborhoods in the city. Everyone must cooperate and work together. This is not just a responsibility of the Police Department and the City of Lansing. He thanked the members of GLAD for marching in his neighborhood. He said that on Sunday he and Councilmember Ford bowled in a fund raiser for a local Basketball Team "The Spurs".

Councilmember Benavides introduced his nephew and 2 great nephews who are visiting from Texas. He spoke regarding the Mayor's State of the City Address saying these are tough times and raising any type of funding is very difficult, but, if we work together, stick together, and remain optimistic we can win this one. We need to take a look at our resources and identify the programs most needed.

ADJOURNED 9:30

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

36

Proceedings, February 3, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
February 3, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a letter from the Ingham County Board of Commissioners regarding their intent to consider a policy of charging the City of Lansing for the housing of inmates

2/ From Councilmember Schmidt a letter from Gordon Ketchum, no address given, objecting to the placing of circular's such as Shopper's Guide, etc. on people's property without their permission

3/ From Councilmember Schmidt a letter from Troy M. Wendell of 2011 Victor Ave. in opposition to the Council adopting a Cat Ordinance

4/ From Councilmember Schmidt a resolution adopted by the Curtenius Guard, Camp No. 17 requesting that the City of Lansing maintain the dual designation of Dr. Martin Luther King, Jr. Blvd./Logan St.

5/ From Councilmember Brockwell additional petitions from 805 residents of the City of Lansing requesting no name change for Dr. Martin Luther King, Jr. Blvd./Logan St.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider that property at 615 Clifford be made-safe or demolished

Lloyd Teets of 116 E. Elm St. noted that this was the first proposed demolition this year and that last year there were 40. He asked if the criteria that establishes this house as an unsafe or dangerous building has been given to Council. Councilmember Brockwell answered yes.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. commented regarding the late item introduced by Councilmember Brockwell, the petitions requesting no name change for Dr. Martin Luther King Jr. Blvd./Logan St., the Committee Report on the fluoridation of drinking water supplied by the Board of Water and Light, and the resolution by the Committee of the Whole supporting the fund raiser for the Ingham County War Memorial. Councilmember Ford responded to Mr. Teets comments about fluoride in drinking water saying that fluoridation causes a 60/70% reduction in the rate of cavities. Areas that do not fluoridate show higher incidence of cavities than areas that do. He added that Lansing is on the low side of fluoride limits.

SPECIAL CEREMONIES

Bill Gruhn, Director of the Department of Natural Resources presented a check in the amount of \$10,000.00 to Mayor McKane from the DNR Fisheries Division for renovation of the Grand River Park Boat Ramp. Mayor McKane thanked Mr. Gruhn for the grant and said it would be put to good use.

Councilmember Schmidt along with Mayor McKane presented Doug Williams with a resolution of support for the Ingham County War Memorial fund raiser. Mr. Williams said that this project, sponsored by the American Legion, has raised nearly \$10,000.00 to renovate the Ingham County War Memorial in Mason. The Memorial lists the names of Soldiers residing in the Cities and Townships of Ingham County who have died in the armed forces during war time. The renovation should be completed 2 weeks before Memorial Day 1992. There will be a special Re-Dedication Ceremony held on May 30, 1992 at 9:00 A.M. A special viewing area will be reserved for the families of war veterans.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Claim appeal for special assessments on property at 532 Baker St.

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

B. Claim appeal for special assessments on property at 224 W. North St.

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

C. Letter regarding the condition of the Bus Station in Downtown Lansing

REFERRED TO THE MAYOR

D. Petition signed by 465 Lansing residents requesting no name

change for Logan Street/Dr. Martin Luther King, Jr. Blvd.

REFERRED TO THE COMMITTEE OF THE WHOLE

E. Letter from William Bernstein of 420 Baker St. requesting the transcripts and tapes of the public speaking portion of the January 13, and January 21, 1992 Council meeting

REFERRED TO THE CITY ATTORNEY

F. Request from Jet Die Barnes Group Inc. requesting approval to establish an Industrial Development District at 5300 Aurelius Rd.

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON ECONOMIC DEVELOPMENT**

G. Letter from Greater Lansing Convention/Exhibition Authority submitting the Interim Financial Statements for the quarter ending December 31, 1991

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS**

H. Letter from Fred White Engineering Company of 2300 N. Grand River Ave. requesting release of surety bond posted by Geert D. Mulder and Sons for final plat of Lancen Village South No. 5

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS**

MAYOR MAY COMMENT

Mayor McKane reviewed his letters on tonight's agenda #1 status report on 811 W. Shiawassee, #2 information on Continental Cable's move to South Lansing, #3 & #4 Traffic Violations, #5 letter from New Way In regarding appointments to the Citizens Council, #6-#9 recommendations from the Traffic Board, #10 recommendations regarding Urban Homesteading, #11 commendation from Neighbors United in Action for Randy Eberbach, #12 letter from the City Attorney regarding SECO v City of Lansing, et al, #13 transfer of funds, #14 recommending no name change for Dr. Martin Luther King, Jr. Blvd./Logan St.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #064

January 30, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

SIGN ERECTOR: Signs of Change

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of January 27, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk notifying the Mayor and Councilmembers of the issuance by the Department of Natural Resources of permits to the City of Lansing for the CSO Separation project

REFERRED TO THE MAYOR

C. Letter from Richard D. Letts, Human Relations Director, submitting the Affirmative Action Plan of Enprotech Mechanical Services, Inc.

**REFERRED TO THE COMMITTEE
ON ECONOMIC DEVELOPMENT**

D. Letters from the Mayor re:

1. Status of 811 W. Shiawassee

RECEIVED AND PLACED ON FILE

2. Relocation of Continental Cablevision of Michigan, Inc.

RECEIVED AND PLACED ON FILE

3. RESOLUTION #065

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: January 30, 1992

SUBJ: Trash Violation Fee (V-24)—\$2,041.92

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

4. RESOLUTION #066

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: January 28, 1992

SUBJ: Trash Violation Fee (V-24)—\$1,574.62

The attached trash violation/assessment fees for removal of trash and debris in the right-of-way are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

Carried unanimously

5. New Way In—Citizens Council

**REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT**

6. Traffic Control: Darien Drive and Post Oak Lane

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. Parking Regulation: Louis Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. Adult Crossing Guard: Manor Drive and Northrup Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. Adult Crossing Guard: Kilborn Street and Pine Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10. Homesteader Sale of 1118 Glenn St. & 1414 Massachusetts Ave

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

11. Letter from neighbors United in Action (Julie Teed, Secretary) commending Performance of Randy Eberbach, Code Compliance Officer

RECEIVED AND PLACED ON FILE

12. Safe Environment Corporation (SECO) v City of Lansing, et al Ingham County Circuit Court Lawsuit

RECEIVED AND PLACED ON FILE

13. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

14. Mayor's Recommendation Regarding Dropping of Dual Designation of Dr. Martin Luther King, Jr. Blvd./Logan Street

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMITTEE REPORTS

RESOLUTION #067

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the request from Martha C. Johnson to rescind the resolution adopted by the City Council on August 6, 1962, which authorized the Board of Water and Light to add fluoride to the water provided to the Board's customers,

REPORTS AS FOLLOWS: The Committee received a report and heard testimony from the Board's General Manager, the Director of the Water Utility, and the Director of Communications and Marketing. Addition of fluoride to water continues to be endorsed by the American Medical Association, the American Dental Association, and the American Cancer Society due to clinical evidence that fluoride strengthens teeth, making them more resistant to cavities. Ninety percent of Michigan residents served by a public water supply get their drinking water from systems that add fluoride to the water. The latest study by the U.S. Public Health Service found no link between fluoride and cancer in humans. The amount of fluoride in BWL water is 1.0 part per million, which is on the low side of the optimal fluoridation level recommended by the Michigan Department of Public Health, set between 1.0 and 1.2 parts per million. Based on the testimony and evidence provided, the Committee recommends that Mrs. Johnson's request be denied, and that the Council take no action to stop the Board of Water and Light from treating the water supply with fluoride.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #068

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Shandra L. Shatney filed a claim against the City in the amount of \$236.06 as reimbursement for personal property damage due to a sewer backup into her basement at 311 Brynford caused by a plugged main; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, the Committee determined that the City had no advance knowledge of the plugged sewer main, but immediately cleared the plug once notified, and recommends that the appeal be denied under the doctrine of governmental immunity from liability for this type of claim; and

WHEREAS, the Committee further recommends that the Public Service Department give the sewer main on Brynford special attention to reduce the possibility of future back-ups;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Shandra L. Shatney; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action; and

BE IT FINALLY RESOLVED the Council requests the Public Service Department to give special attention to the sewer main on Brynford, including annual inspection and preventive maintenance as may be necessary.

By Councilmember Ford

Carried unanimously

RESOLUTION #069

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Velda Butler filed a claim against the City in the amount of \$2,000 as payment for personal property taken from her residence at 1105 Orchard Street during a trash cleanup by the City's contractor; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services, which found that the property was cited by a Code Compliance Inspector for a trash violation, proper notice was provided in accordance with the Housing Code, the violation still existed at the time of reinspection after the compliance period expired, and the City's contractor was authorized to perform the cleanup, which took six and one-half hours to complete; and

WHEREAS, the Committee found further that the contractor's actions were monitored on-site by Building Safety Division personnel, all material removed was within the scope of the violation notice, and anything considered of value by the property owner should not have been allowed to remain among the large volume of trash in the yard after the property was cited; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Velda Butler; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #070

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Richard S. Funk to the Cable Advisory Board for a term to expire June, 1993, is hereby confirmed.

By Councilmember Ford

Carried unanimously

RESOLUTION #071

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Charles David Southwell has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that he had been convicted of a felony or one or more sex-related misdemeanors within five years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23 (b) (6) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant and the applicant's employer, and concluded that the circumstances were not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council

hereby approves the recommendation of the General Services Committee to grant a public driver license to Charles David Southwell.

By Councilmember Ford

Carried unanimously

RESOLUTION #072

BY: COUNCILMEMBER LUCILE BELEN

WHEREAS, Jet Die—Barnes Group, Inc. has requested that the Lansing City Council establish a Lansing Industrial Development District (IPR-2-92) pursuant to Act 198 of 1974, on property at 5300 Aurelius Road, Lansing, MI more fully described on Attachment I as attached; and

WHEREAS, prior to acting on this request, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Development District (IPR-2-92), to allow for any residents or taxpayers to have a right to appear and be heard; and

NOW, THEREFORE, BE IT RESOLVED, that such hearing be held in the City Council Chambers, Tenth Floor, Lansing City Hall, Lansing, Michigan, on the 24th day of February, 1992, at 7:00 p.m., and that a notice of such hearing be published in a publication of general circulation in said City, and that the City Clerk give at least (10) ten days notice of a public hearing when all persons interested may attend and make any objections they may have to such proposed District, and that the City Council notify the owners of real property within the proposed Industrial Development District of this application and the scheduled public hearing.

By Councilmember Belen

Carried unanimously

ATTACHMENT I

Legal Description:

That part of the NE ¼ of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, described as: Beginning at a point on the East line of Section 3, T3N, R2W, N00° 21' 30"E, 1036.67 feet from the East ¼ corner of Section 3, T3N, R2W, thence N89° 17' 05"W, 963.80 feet to the Easterly right of way line of the Michigan Central Railroad; thence N24° 18' 47"W, 240.59 feet along said right of way line; thence S89° 17' 05"E, 1064.22 feet to the East line of Section 3, T3N, R2W, thence S00° 2' 30"W, 218.00 feet along the East line of Section 3 to the point of beginning. Contains 5.074 acres. Subject to right of way for Aurelius Road and any other easements or restrictions of use or record.

RESOLUTION #073

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Douglas Williams, Commander of American Legion Post #148, is the chairperson of the Ingham County Veterans' Memorial Monument Committee, which is composed of representatives of 13 local veterans' organizations united for a common purpose; and

WHEREAS, this committee is attempting to raise \$20,000 to restore and update the Ingham County War Memorial located in Mason to honor the memory of County residents who gave their lives in the

Korean and Vietnam Wars; and

WHEREAS, the committee's goal is to dedicate the monument on Memorial Day of this year;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 3rd day of February, 1992, hereby expresses its support for the campaign by the Ingham County Veterans' Memorial Monument Committee to raise funds for restoration of the Ingham County War Memorial; and

BE IT FURTHER RESOLVED the Council commends this committee and the veterans' organizations represented for their effort to recognize the supreme sacrifice of Ingham County men and women killed in the Korean and Vietnam Wars.

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS, IF ANY

1 / From Councilmember Benavides a letter from the Ingham County Board of Commissioners regarding their intent to consider a policy of charging the City of Lansing for the housing of inmates

REFERRED TO THE MAYOR, THE COMMITTEE ON WAYS AND MEANS, AND THE COMMITTEE ON PUBLIC SAFETY

2/ From Councilmember Schmidt a letter from Gordon Ketchum, no address given, objecting to the placing of circular's such as Shopper's Guide, etc. on people's property without permission

REFERRED TO THE MAYOR

3/ From Councilmember Schmidt a letter from Troy M. Wendell of 2011 Victor Ave. in opposition to the Council adopting a Cat Ordinance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ From Councilmember Schmidt a resolution adopted by the Curtenius Guard, Camp No. 17 requesting that the City of Lansing maintain the designation Logan St. for Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE COMMITTEE OF THE WHOLE

5/ From Councilmember Brockwell additional petitions from 805 residents of the City of Lansing requesting no name change for Dr. Martin Luther King, Jr./Logan St.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC MAY COMMENT

William Bernstein of 420 Baker St. spoke regarding what he termed his unfair trial for disturbing a public assembly.

Byron Jubeck of the Sir Pizza at 1101 N. Logan St. apologized for

his nervousness at last week's meeting. He asked Council what they would do about teenagers with guns. He felt the shooting of the teenager at Sexton High School last weekend was taken too lightly. He said someone has to address this situation. Councilmember Canady said that he lives close to this area and would be happy to talk to Mr. Jubeck after the meeting tonight and work with him on this problem. He suggested that parents be held responsible for their minor children who use guns and asked that Mr. Jubeck leave his address at the end of the meeting. Councilmember Ford called for the formation of a group consisting of people who live in the 4th Ward to talk about this issue. They have tentatively scheduled their first meeting for the first Wednesday in March to be held in Council Chambers. The name of the group is Citizens Agenda for Safe Streets. He said that Councilmember Brockwell has agreed to attend. Everyone is welcome to participate. He said that he spoke with Sexton High School's Principal who feels that this was an isolated incident.

Lloyd Teets of 116 E. Elm St. said that he was arrested last on a charge that he has never heard of and is not on computer at the police department. The charge is opposing and hindering. He spoke regarding budget priorities in Fiscal Year 1991 and Fiscal Year 1992.

William Hubbell of 1128½ Cooper Ave. said that he has discovered that some of the lights that light the Capital Dome are on top of the City Hall building and he would like to know how this happened.

Frank Curtis of 1136 W. Allegan asked for justice for Black Americans and all minorities. He objected to the way black's are memorialized and displayed advertisements for Uncle Ben's Rice and Aunt Jemima's Syrup. He said it is time for blacks to take a stand.

James T. Lyons of 411 Bartlett St. said he is the Secretary for the 'Sons of the Civil War', and that he has been searching for hard documentation that Logan St. was named for General Logan. In his search of the history of Lansing and Ingham County he has found no other Logan's who would have merited the naming of Logan St. after them. He found an article written in the 1930's by a newspaper reporter researching the naming of the City's streets that says Logan St. was named after General Logan. He requested that there be no name change for Dr. Martin Luther King, Jr. Blvd./Logan St.

Charles Southwell of 923 E. Scott St., Grand Ledge thanked Council for granting his Public Driver's license request.

Andrew Anthos of 216 W. Holmes reminded everyone that February is Black History Month. He said that he is proud of his ancestry. He spoke regarding his quest to light the Dome of the Capital in the colors of the American Flag, saying time is short.

James DeRocco of 3815 Donald St. said that regarding Logan St. we need a compromise. He said we should be tougher on teenagers with guns, they should be put in jail if they break the law. He said the main problem is kids do not have parents at home with them at night and parents do not take their children to Church. We must first bring families back together.

REMARKS BY THE MAYOR

Mayor McKane announced that he will be starting budget hearings with staff this Friday afternoon. He will present the budget on Monday, March 23, 1992. Regarding the problems with kids having

guns, Neighborhood Watch's, Neighborhood Organizations, and Lansing Police Department are working very hard to prevent this problem from getting any worse than it already is. Help from these sources is available to anyone who wants it, they will attend meetings to bring ideas together, and help put them into practice. He urged everyone to work together and cooperate with each other.

ADJOURNED 8:50

JAMES D. BLAIR, CITY CLERK

REMARKS BY COUNCILMEMBERS

Councilmember Ford said that when he first came on Council there was a serious problem in the Riddle School neighborhood. They came up with a solution by working together with the School, Parents, and Neighbors. He said now is the time to put this group together again, to come up with ideas and financing for programs to help put a stop to this problem. The first Wednesday in March is the first scheduled meeting of the group which will be called Citizens Agenda for Safe Streets. He reminded everyone that February is Black History Month and said that each Monday Council will recognize a black individual who has helped the City of Lansing. Anyone who has a family member or friend who has contributed to the history of the City, please call him. Tonight they will recognize Joel Ferguson whose contributions include; being the first black City Council Member, Member of the Michigan Catholic Job Training Center, Member of Urban League, President of WFSL TV, Board of Director of Capital Bank, Owner of WLAJ TV, Member of Ingham County Board of Commissioners, and MSU Board of Trustee member.

Councilmember Schmidt asked Mayor McKane if he felt that the City had a policy to deal properly with the situation on Allegan St. last week when the Michigan National Tower had to be evacuated and the Street closed to traffic. She feels there must be a better way to deal with the accident. She announced that former Councilmember Bill Brehmke is in the hospital and would be appreciative of cards and letters.

Councilmember Beal said that after a month on the job she feels she has been observing long enough and it is time now for her to comment. Regarding the Dr. Martin Luther King, Jr. Blvd./Logan St. issue, she did not think naming this street after Dr. King was a good compromise in the first place because most people still call it Logan St. She said the idea of charging municipalities for their inmate usage of the Ingham County Jail is not a new issue, they have been talking about this for at least a year. She said the City has had an adversarial attitude toward other governmental agencies and she would like to see this changed. She commented on the communication from the Greater Lansing Convention Exhibition Authority submitting the Interim Financial Statements for the Lansing Center for the quarter ending December 31, 1991, noting the loss they show. She said the public should have better use of the Lansing Center. She suggested to Mr. Teets that maybe it is not the fluoride added to the water that is killing his plants, maybe it is the chlorine.

Councilmember Brockwell complimented Mayor McKane's prayer breakfast last week and said he hopes they continue.

Councilmember Benavides congratulated Martha Johnson for her dedication and determination in achieving her goals. The committee disagreed with her feeling about fluoride, but admired her tenacity in trying to achieve her objectives.

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**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING**

Proceedings, February 10, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
February 10, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Brockwell, Crawford, Schmidt

ABSENT: Councilmembers Benavides, Canady and Ford, Councilmember Ford arrived 8:05

Council President Crawford declared a quorum present

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of January 21, and January 27, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

Council president Crawford declared that there were not a sufficient number of Councilmembers present to achieve a positive vote for suspension of the rules.

SCHEDULED PUBLIC HEARINGS

There were no scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke regarding resolution XII-E requesting legal assistance from Michigan Municipal League on City of Lansing v Rose.

Harold Leeman of 529 N. Francis asked how much it would cost the City to purchase the property at 816 E. Shiawassee. He said the City should do what it can to lower the density level in this neighborhood. Councilmember Brockwell responded that he would get staff to provide Mr. Leeman with this information, if possible. Mr. Leeman objected to more money being spent on the Diamond Reo Site cleanup and asked how much money had been spent to date. Mayor McKane replied that the total spent to date is eight million seven hundred forty-four thousand dollars. He added that reclamation of this site is mandated by State and Federal law.

SPECIAL CEREMONIES

Mayor McKane presented a proclamation to Anne M. DeRose, an Educator with the Lansing School District's Department of Adult and Continuing Education, declaring February 14, 1992 as ANNE M. DeROSE DAY. Mrs. DeRose thanked everyone and said what a

great honor this was. She said the Adult Education staff is a very caring group of people, many of them are in attendance tonight to see her receive this proclamation. She said her father, who immigrated here from Italy in 1922, put his five children all through college by working very hard. She credited the Staff of Adult Education with arranging this evening for her.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter from Lloyd R. Teets of 116 E. Elm St. regarding 54-A District Court

RECEIVED AND PLACED ON FILE

B. Claim of Mr. & Mrs. J.A. Hildebrandt of 3853 Waverly Hills Rd. in the amount of \$1,967.52

REFERRED TO THE CITY ATTORNEY

C. Z-1-92 request to rezone the 200 Block of N. Chestnut (north of 216 N. Chestnut) by Dabbert & Fleming, Architects, Inc. on behalf of Michigan Community College Association from DM-3 to D-1 to construct a 40 x 60 building to house the offices of the Association

REFERRED TO THE MAYOR AND THE PLANNING BOARD

D. Petition signed by 183 Lansing residents requesting no name change for Martin Luther King Jr. Blvd/Logan Street

REFERRED TO THE COMMITTEE OF THE WHOLE

E. Letters from the following Lansing residents requesting no name change for Martin Luther King Jr. Blvd/Logan Street

-Mrs. Marian Hartgerink of 1740 Wellington Rd.

-June Cronk of 707 W. Kalamazoo St. #12

REFERRED TO THE COMMITTEE OF THE WHOLE

MAYOR MAY COMMENT

Mayor McKane commented on his nine letters on tonight's agenda; #1 & #2 sale of vacant land, #3 article from the "Battle Creek Enquirer" regarding their proposed public nuisance ordinance, #4 letter in response to William Hubbell's question regarding the lighting on top of City Hall, #5 policy for the naming for Parks and Parks facilities in the future, #6 report from Ingham County Health Department regarding statistics on the amount of cases they served last year, #7 transfer of funds, #8 golf passes for senior citizens, #9 appointment of Glen Friedly to the Greater Lansing Convention/Exhibition Authority Board.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action

on licenses and bonds:

1. RESOLUTION #74

February 6, 1992

President Belen and Members of the Lansing City Council

10th Floor, City Hall

Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Connixtions

PUBLIC DRIVER: James W. Harbenski, Michael Edward Baezz, Roger Alan Hall, Brian Swanson, Roger Dean May, Daniel P. Henigan

Sincerely,

James D. Blair, City Clerk

City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 3, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from Therese Clingman Porn, Chairperson of the Cable Advisory Board re:

1. "Video Dial Tone" the FCC rule permitting telephone companies to send video programming to people's homes via the phone lines

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. City of Lansing v Rose decision by the Michigan Court of Appeals

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Sale of Surplus Vacant Land Edgewood Blvd. Phase II—to Complete Hitch & Welding Co.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2. Sale of Surplus Vacant Land Edgewood Blvd. Phase II—to Lloyd and Kim Glew

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. Proposed Landlord Responsibility for Drug Houses—Article from Battle Creek Enquirer

RECEIVED AND PLACED ON FILE

4. Lighting of State Capitol Building from City Hall Roof

RECEIVED AND PLACED ON FILE

5. Naming of Park and Park Facilities

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

6. Profile—Friendship Clinic

RECEIVED AND PLACED ON FILE

7. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. Senior Season Golf Passes

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES
AND THE COMMITTEE ON WAYS AND MEANS

9. Appointment of Glenn Friedly to Greater Lansing Convention/Exhibition Authority Board

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMITTEE REPORTS

RESOLUTION #075

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the application by Golf Course Concessions, Inc., for a new 1991 SDM license to be used at Groesbeck Golf Course"

REPORTS AS FOLLOWS: On June 24, 1991, the Council adopted Resolution #397, which established policy that sale and consumption of beer and wine at Groesbeck Golf Course shall be limited to the clubhouse and patio area only, and that consumption of beer and wine shall not be permitted on the golf course. On August 26, 1991, the Council referred the concessionaire's application for a new SDM license, which would allow over-the-counter sales of beer and wine for off-premise consumption, to the Committee. After discussion with the Director of Parks and Recreation, the Committee requested confirmation that the concessionaire would abide by the Council's policy and not pursue the SDM license. Such confirmation has now been received in the form of a January 27, 1992, letter from the Michigan Liquor Control Commission stating that the application has been cancelled. This report is for information only, and no further Council action is required.

BY COUNCILMEMBER BROCKWELL

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #076

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the City of Lansing desires to redevelop the Diamond Reo property located north and south of Baker Street, between South Washington Avenue and South Cedar Street, for economic activities consistent with City Policy, the zoning of the property and the Master Plan for the area, and desires to create new employment opportunities by such action, and

WHEREAS, the City supports the proposal to locate Lansing Sanitary Supply, Inc. at the Diamond Reo site consistent with this policy, and

WHEREAS, in order to facilitate marketing of the property it is necessary to continue remedial action to address environmental problems by installing a groundwater collection system and treatment facility at the site, and

WHEREAS, the City desires to apply for a grant through the Michigan Department of Natural Resources Site Reclamation

Grant and Loan Program in the amount of \$2 million to assist in paying for the cost associated with the installation of the collection and treatment facility, and

WHEREAS, the City intends to proceed with the installation of the collection and treatment facility and any other remedial action necessary upon receipt of a grant award from the State Department of Natural Resources,

NOW, THEREFORE, BE IT RESOLVED that the Director of the Public Service Department of the City of Lansing, Howard G. McCaffery, is hereby authorized to apply for a grant through the Michigan Department of Natural Resources Site Reclamation Grant and Loan Program in the amount of \$2 million for the purpose of financing further remedial action as described in the grant to address environmental problems at the Reo site, and is hereby designated to represent the City in administering the grant and overseeing the remedial action to be taken;

BE IT ALSO RESOLVED that the City intends to proceed with the economic development of the site as proposed upon receipt of the grant and implementation of the remedial action.

By Councilmember Belen

Carried unanimously

RESOLUTION #077

BY Committee on Physical Development

Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing was awarded \$81,750.00 of Section 810 funds in Fiscal Year 1991 to purchase Urban Homestead properties; and

WHEREAS, Development Division staff inspected several properties referred by the FHA and VA Regional Offices during Fiscal Year 1991; and

WHEREAS, property located at 1118 Glenn Street legally described as Lots 35 and 36, Bungalow Home Addition, City of Lansing, Parcel No. 3301-08-406-051, was found suitable for the City's Urban Homesteading Program; and

WHEREAS, Sallie Davis was selected as the potential homesteader for 1118 Glenn Street; and

WHEREAS, property located at 1414 Massachusetts Avenue legally described as Lot 280, Highland Park, in the City of Lansing, Parcel No. 3301-10-181-071, was found suitable for the City's Urban Homesteading Program; and

WHEREAS, Icy A. Verser was selected as the potential homesteader for 1414 Massachusetts Avenue; and

WHEREAS, the City Charter of the City of Lansing, Michigan requires City Council approval of all sales of City property;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lansing authorizes the Mayor to execute the sale agreements with the above named urban homesteaders; and

BE IT FURTHER RESOLVED, that the City Council authorizes the sale of 1118 Glenn Street to Sallie Davis and the sale of 1414 Massachusetts Avenue to Icy A. Verser, subject to the terms and conditions of said agreement and the City of Lansing's Urban Homesteading Procedures.

By Councilmember Belen

Carried unanimously

Item XII A-3 resolution authorizing the sale of property at 816 East Shiawassee St. to residents of Sparrow Estates was pulled from the agenda at the request of Councilmember Belen

RESOLUTION #078

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Roger Donaldson to the Building Board of Appeals for a term to expire June, 1993, is hereby confirmed.

February 10, 1992

By Councilmember Belen

Carried unanimously

RESOLUTION #079

PUBLIC IMPROVEMENT I

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing that it is hereby determined to be of a public necessity to construct curb and gutter and the necessary storm drainage in Jolly Road from Aurelius Road to Dunckel Road.

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners, and that the City's share from account #403 933601-974100-42544.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

By Councilmember Belen

Carried unanimously

RESOLUTION #080

January 23, 1992

P-2-91

Coachlight Estates No. 2

Tentative Preliminary Plat

WHEREAS Larry D. Stephens, Stephens Consulting Services, P.C., has requested tentative preliminary plat approval for property along Wayfarer Lane adjacent to Graves Park in the southwest corner of the city to be subdivided into four (4) lots for the purpose of developing single family residences; and

WHEREAS the Planning Board found the plat request to be in conformance with the Master Plan and compatible with surrounding land uses; and

WHEREAS the Planning Board, on January 22, 1992, did recommend approval of the tentative preliminary plat; and

WHEREAS the Physical Development Committee concurs in the report of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council grants tentative preliminary plat approval for Coachlight Estates No. 2 Subdivision subject to the following conditions:

1. That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.
2. That all lots be graded so surface water will drain therefrom so as not to adversely affect adjacent properties.
3. That the developer utilize an underground electrical distribution system as specified in Section 1238.08 of the Lansing Subdivision Regulations.
4. That the necessary easement be provided for the installation of utilities.
5. Compliance with requirements of all responding agencies.
6. That this tentative approval of the preliminary plat is effective for a period of twelve (12) months.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to notify the petitioner of this action.

By Councilmember Belen

Carried unanimously

RESOLUTION #081

February 6, 1992

P-2-91

Coachlight Estates #2
Final Preliminary Plat

WHEREAS Larry D. Stephens, Stephens Consulting Services, P.C., representing Ronbar Incorporated, has requested final preliminary plat approval of the plat known as Coachlight Estates No.2; and

WHEREAS the Planning Division has reviewed this final preliminary plat in accord with the provisions under Chapter 1234.03 (e)(2) of the Lansing Subdivision Control Regulations and found it to be in substantial conformance with the tentative preliminary plat, as recommended by the Planning Board; and

WHEREAS the Physical Development Committee of City Council has reviewed the report of the Planning Division and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the preliminary plat of Coachlight Estates No. 2 be given final preliminary approval subject to all the conditions as set forth by the City Council at the time of tentative preliminary approval.

By Councilmember Belen

Carried unanimously

RESOLUTION #082

January 23, 1992

P-3-91

Coachlight Estates No. 3
Tentative Preliminary Plat

WHEREAS Larry D. Stephens, Stephens Consulting Services, P.C., has requested tentative preliminary plat approval for property along Monticello Drive adjacent to Graves Park in the southwest corner of the city to be subdivided into twelve (12) lots for the purpose of developing single family residences; and

WHEREAS the Planning Board found the plat request to be in conformance with the Master Plan and compatible with surrounding land uses; and

WHEREAS the Planning Board, on January 22, 1992, did recommend approval of the tentative preliminary plat; and

WHEREAS the Physical Development Committee concurs in the report of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council grants tentative preliminary plat approval for Coachlight Estates No. 3 Subdivision subject to the following conditions:

1. That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.
2. That all lots be graded so surface water will drain therefrom so as not to adversely affect adjacent properties.
3. That the developer utilize an underground electrical distribution system as specified in Section 1238.08 of the Lansing Subdivision Regulations.
4. That the necessary easement be provided for the installation of utilities.
5. Compliance with requirements of all responding agencies.
6. That this tentative approval of the preliminary plat is effective for a period of twelve (12) months.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to notify the petitioner of this action.

By Councilmember Belen

Carried unanimously

RESOLUTION #083

February 6, 1992

P-3-91

Coachlight Estates #3
Final Preliminary Plat

WHEREAS Larry D. Stephens, Stephens Consulting Services, P.C., representing Ronbar Incorporated, has requested final preliminary plat approval of the plat known as Coachlight Estates No.3; and

WHEREAS the Planning Division has reviewed this final preliminary plat in accord with the provisions under Chapter 1234.03 (e)(2) of the Lansing Subdivision Control Regulations and found it to be in substantial conformance with the tentative preliminary plat, as recommended by the Planning Board; and

WHEREAS the Physical Development Committee of City Council has reviewed the report of the Planning Division and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the preliminary plat of Coachlight Estates No.3 be given final preliminary approval subject to all the conditions as set forth by the City Council at the time of tentative preliminary approval.

By Councilmember Belen

Carried unanimously

RESOLUTION #084

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-001, which authorizes

the permanent installation of a no parking zone on the east side of Louis Street between Kendon Avenue and Spokane Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #085

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-002, which authorizes the installation of a yield sign on Darien Drive at the intersection of Post Oak Lane.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #086

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-004, which authorizes the installation of a yield sign on Pierce Road at the intersection of Christiansen Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #087

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 615 Clifford Street, legally described as:

3301 15 454 051

Lot 40, Breiten Park Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 22, 1991, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on February 3, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution February 10, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to

substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

February 10, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #088

BY COMMITTEE ON WAYS AND MEANS

2/10/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

\$2,935.00 from Est. Rev. A/C 101-000000-170001-00000
2,935.00 to Fire-Bdgt. Ctrl. A/C 101-343501-992200-00000
Paramedic & Training program donations (101-343510-741880-0) (Replaces transfer for \$120 approved 1-20-92 & transfer for \$725 referred on 11-25-91; additional funds of \$2,090 received.)

Submitted by: Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Brockwell

Carried unanimously

RESOLUTION #089

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is currently involved in the following described litigation: City of Lansing v Edward Rose Associates, Inc., et al, and City of Lansing v. Edward Rose Realty, Inc., et al; and

WHEREAS, the City believes the issues involved in such litigation are such that the Michigan Municipal League Legal Defense Fund may wish to provide supportive aid in such litigation; and

WHEREAS, the City desires to receive the assistance of the Michigan Municipal League Legal Defense Fund.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the City Attorney to request aid from the Michigan Municipal League Legal Defense Fund in the litigation described above; and

BE IT FURTHER RESOLVED the Council agrees that acceptance

of such support shall constitute an agreement by the requesting municipality to abide by any conditions placed upon the aid offered by the Fund.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING PART 12

SECTIONS 1274.04 AND 1276.04

REGULATION OF ADULT FOSTER CARE FACILITIES

By Councilmember Belen

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 12. Sections 1274.04 and 1276.04 for the purpose of the regulation of Adult Foster Care Facilities by the City of Lansing

Was introduced by Councilmember Belen read a first and second time by it's title and referred to the Committee of the Whole.

Resolution #090

February 10, 1992

RESOLUTION SETTING PUBLIC HEARING

AMENDMENTS TO THE PLANNING AND ZONING CODE

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, THAT A PUBLIC HEARING BE SET FOR March 2, 1992 at 7 p.m. in City Council Chambers. Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, to consider amendments to Part 12. Chapter 1274.04 and 1276.04, regarding criteria for the regulation of Adult Foster Care Facilities under the Special Land Use sections of the "H" Light Industrial and "I" Heavy Industrial Districts.

BY COUNCILMEMBER BELEN

CARRIED UNANIMOUSLY

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

There were no late items approved for consideration

MOTION OF EXCUSED ABSENCE

By Councilmember Schmidt to excuse Councilmembers Canady, Ford and Benavides from tonight's proceedings.

PUBLIC MAY COMMENT

James T. Lyons of 411 Bartlett St. spoke in favor of maintaining the dual name designation for Dr. Martin Luther King, Jr. Blvd./Logan St.

William Bernstein of 420 Baker St. accused the Council of discrimination and religious persecution.

Keith G. Harrison of 4209 Santa Clara, Holt spoke on behalf of the Michigan Military Commandry. They agree with memorializing Dr. King but it must not be at the expense of General Logan. He is opposed to changing the dual name designation for Dr. Martin Luther King, Jr. Blvd./Logan St. He introduced other members of his group dressed in authentic Civil War Uniforms including two

women and a child in period dress.

Frank Curtis of 1136 W. Allegan said we are headed for another Civil War. He lamented the lack of recognition given to black heroes.

Eddie Williams of 3201 Ronald appealed to the Council not to make the decision on the name change for Dr. Martin Luther King, Jr. Blvd./Logan St. based on color.

Lloyd Teets of 116 E. Elm St. said the issue of a name change for Dr. Martin Luther King, Jr. Blvd./Logan St. divided the community three years ago and is still doing so today. He asked for a recall of the compromise made three years ago in order to name a real memorial for Dr. Martin Luther King, Jr. When his speaking time elapsed Mr. Teets requested extra time. The motion for extra time was made by Councilmember Brockwell and defeated by a vote of 2 Yeas/4 Nays.

Andrew Anthos of 216 W. Holmes said it was shameful of the Council not to allow Mr. Teets' request for extra time. He displayed a sign asking Governor Engler to light the dome of the Capital. He said that he is celebrating his birthday on February 19th and asked all citizens to call their radio stations, write their newspapers, and call their representatives urging them to support the lighting of the Dome in the colors of the American Flag on legal holidays. When his speaking time had lapsed, Councilmember Ford made a motion for extra time, it was defeated by a vote of 3 Yeas/3 Nays.

Judy Davidson of 1416 Pierce said that the naming of Dr. Martin Luther King, Jr. Blvd./Logan St. is not a racial issue. All races are represented in the signatures on her petitions. This is a financial issue and an issue about exchanging one hero for another. She said it is not fair to take anything away from either hero and the street name should remain the way it is.

Mike Rathell of 308 N. Walnut said that President Crawford had given him permission to play an audio cassette tape of a song he had written and performed regarding the naming of Logan St.

Fred McLaughlin of 222 Kalamazoo spoke in support of removing Logan St. from the dual name designation because the memory of Dr. Martin Luther King, Jr. is more immediate for most people than that of General Logan.

Doug S. Fairbanks, no address given, spoke in favor of leaving the dual name of Dr. Martin Luther King, Jr. Blvd./Logan St. He said that he believes that Councilmember Ford should be the subject of one of the Recognitions given in honor of February being Black History Month.

Gary Andrews of 560 Brookland asked what is happening with the Holmes Drain. He has seen crews working on it and wants to know if it is expected to backup. Howard McCaffery, Director of Public Service was called on to answer Mr. Andrews questions. Mr. McCaffery said that his Department is doing extensive cleaning of the drain. They did a study of the drain to check to see that it was carrying it's full capacity and in the course of the investigation they cleaned it too. He added that the drain should not back up in that area in the spring.

Harold Leeman of 529 N. Francis said that the resolution regarding 816 Shiawassee was pulled from the agenda for lack of information. Regarding the Diamond Reo Site he claimed that with this grant being added to the previous amount spent the costs for cleanup would be over twelve million dollars. He asked if

Continental Cablevision had shared any of the expense of the City of Lansing v Rose, Inc. Al Knot. City Attorney responded that there had been no cost to the city at all for that case. Continental Cablevision paid all the fees. Mr. Leeman asked who would bear the expense of the suit if the appeal succeeds. Mr. Knot replied that it would be split three ways, the City of Lansing, Continental Cablevision, and Michigan Municipal League. Mr. Leeman said that the Committee of the Whole meeting last Thursday was a disservice to the people who attended it.

David Douglas of 424 N. Hayford said that he will go to trial against the City for conducting a junk yard in his back yard. He said that he does buy and sell autos to supplement his families income. He said that he cannot afford a lawyer to defend him in this action and does not believe that he will be given a court appointed attorney. He stated that he currently has only two vehicles in his yard. He combines parts from one or more vehicles to build one functional car. He stated that anyone who asks for extra time to speak to Council should get it.

REMARKS BY THE MAYOR

Mayor McKane reported on the signing of the Sister City Agreement between Lansing and St. Petersburg, Russia. St. Petersburg had originally planned to bring 11 people to the signing but because of the rate of inflation they reduced that amount to 4 people. The inflation rate is so bad in their country that farmers will barter their trade, but will not sell it for money because the value of money is so uncertain. One representative related that her family had not had bread in six weeks because it is not available.

REMARKS BY COUNCILMEMBERS

Councilmember Brockwell said that he was at the signing of the Sister City Agreement with St. Petersburg and found it very interesting. They have four hundred Councilmembers for a population of five million.

Councilmember Ford apologized for being late, his flight was diverted to Flint. He thanked Mr. Fairbanks for suggesting that he be recognized for his contribution to the City during Black History Month. He thanked the people who are calling him with the names of Black Americans who contributed to the City. Tonight he would like to recognize Dr. Olivia Irene Letts, the first black teacher in Lansing. She was given the first black teaching job at Lincoln School, was Principal at Post Oak and Horsebrook Schools, Director of Elementary Education, is an alumnus of Michigan State University, and was the recipient of the Diana Award in 1990. He asked for recognition for her husband Richard Letts, and her daughter Irene Letts Christmas.

ADJOURNED 8:50

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

49

Proceedings, February 17, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
February 17, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Brockwell, Crawford, Ford, Schmidt

ABSENT: Councilmembers Benavides and Canady (Councilmember Canady arrived 7:05)

The Invocation and Pledge of Allegiance were led by Councilmember Beal

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ By Councilmember Beal a request that Elise Harvey be allowed to make a presentation regarding yard waste and composting during that portion of the agenda reserved for special ceremonies

2/ By Councilmember Schmidt a resolution of support for the Michigan Interfaith Council on Alcohol Problems "Drug-Free" Program to be held February 22, 1992

3/ By Councilmember Ford a letter from the Coalition for Community Concerns regarding the dual name designation for Dr. Martin Luther King, Jr. Blvd./Logan St.

SCHEDULED PUBLIC HEARINGS

A. In consideration of establishing an Industrial Development District, IPR-1-92 for Team Plastics Corporation at 5646 Commerce Drive

Gary Foulds of 1246 Farwood, E. Lansing said that he is an Officer, Director, and Stockholder of Team Plastics and asked that they be granted their IPR in consideration of the many jobs they provide in the City that are not automotive related. He said that a previous tax abatement had been approved for them at a different address.

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

PUBLIC COMMENT

James T. Lyons of 411 Bartlett St. asked Council to maintain the dual street name designation for Dr. Martin Luther King, Jr. Blvd./Logan St. He read excerpts from an article in the Michigan Veterans Facility Centennial regarding General Logan.

Reverend Lester D. Stone, Pastor of the Friendship Baptist Church made the following presentation:

Martin Luther King, Jr. Blvd.: Making It A Reality

by Reverend Lester D. Stone, Pastor
Friendship Baptist Church
February 12, 1992

Since the Pastors' Conference submitted petitions, requesting the City Council to make Martin Luther King, Jr. Boulevard/Logan Street officially, legally, and solely Martin Luther King, Jr. Boulevard, the forces of opposition have risen swiftly. The Mayor and the President of the City Council say that the City should stick to the Compromise reached in April 1989 because a deal was made to satisfy both sides. It is a gross misrepresentation of the facts and a tragic distortion of the truth for the Mayor and the City Council President to suggest that a deal or compromise was made to never reopen the Martin Luther King, Jr. Blvd/Logan Street issue. The nasty implication of their claim is that the Pastor's Conference lied and went back on their word. But the facts clearly reveal that there was never a compromise or deal to not reopen the Martin Luther King, Jr. Blvd Street issue.

Unfortunately, what the Mayor is not telling the city and what the President of the Council obviously doesn't know is that when the agreement was made to have dual designation of the street, it was made very clear to the Mayor, the Business Community, and even City Council that the Pastors' Conference would one day in the future request that the street be named solely in honor of Dr. King.

In fact, the Pastors' Conference presented a statement, indicating their desire to return in the future to ask for the removal of the Logan signs. The Business leaders were opposed to the idea with one of them saying adamantly that he would never be in favor of it. On the other hand, when no agreement was reached, about removing the Logan signs in the future, the Pastors' Conference objected strongly to any language that suggested in the slightest way that the door would be permanently closed on the Martin Luther King Jr. Blvd/Logan Street issue.

Contrary to what the Mayor and Council President are saying, the only agreement reached in April 1989 was the dual designation of the street. The language of the resolution adopted by the City Council said nothing about an agreement to never reopen the Martin Luther King, Jr. Blvd/Logan Street Issue. The City Council's Resolution, unanimously passed by City Council on April 24, 1989 stated:

"Now, therefore, be it resolved the City Council of the City of Lansing hereby determines that Logan Street will legally be co-designated as Dr. Martin Luther King, Jr. Blvd., as well as Logan Street and that each designated name have its own sign on a single pole."

The Council's Resolution only spoke to the dual designation of the street, the juxtaposition of the signs, and the legality of both names. If there were an agreement to never reopen the issue, it would seem that the Council's Resolution would have contained some language to that effect. The language of the City's Council resolution doesn't even address the issue of time. **THERE WAS ABSOLUTELY NO AGREEMENT, NO DEAL TO NOT REOPEN THE KING/LOGAN STREET ISSUE.**

The Pastor's Conference's goal was and still is to have Martin

Luther King, Jr. Blvd./Logan Street named solely and legally in honor of Dr. King. The dual designation, Martin Luther King, Jr. Blvd./Logan St., was not a permanent resolution of the issue but a temporary dissolution of a divisive conflict. The dual designation was just a stepping-stone to the realization of the ultimate goal: Martin Luther King, Jr. Boulevard.

Mayor McKane knew that the Pastor's Conference would one day return to request the removal of the Logan signs. In fact the Mayor and a City Council member originally suggested that the signs for Martin Luther King, Jr. Boulevard be posted without street block numbers. But this idea was strongly rejected by the Pastor's Conference because it virtually rendered the King signs a mere ceremonial symbol having no legal basis. It is for this reason the street block numbers are on the King signs. Incidentally, the City even failed to put street block numbers on all the signs. The Pastors' Conference wanted the King signs to be legal and also wanted to make it easier for the city to remove the Logan signs in the future. Consideration for the future removal of the Logan signs is another reason why the King signs were placed on top.

In the printed program of the Martin Luther King Memorial Service, held January 15, 1990, sponsored by the Pastors' Conference, the following statement appeared:

"However, it should be understood that the Conference initially wanted the street named solely in Dr. King's name. When the agreement was reached to have the street legally co-designated Martin Luther King, Jr. Boulevard/Logan Street, the Conference made it clear that in the future it would request the name, Logan, be removed from the street." The statement further called upon the City "...to make a commitment to remove the Logan Street name in the near future and recognize the street solely as Martin Luther King, Jr. Boulevard." If there were truly a deal to never reopen the issue of King Blvd./ Logan Street, then why was the Pastor's Conference talking about it shortly after City Council voted to make the dual designation of the street. **THERE WAS NO DEAL, NO COMPROMISE TO NOT REOPEN THE ISSUE!**

There is the false perception among some city council members and even some citizens in the community that the request to remove the Logan signs is just the Pastor's Conference's issue. But nothing could be further from the truth. **THE BLACK COMMUNITY HAS NEVER BEEN SATISFIED WITH THE DUAL DESIGNATION: MARTIN LUTHER KING, JR. BLVD/LOGAN STREET.** The Black Community has always felt that the dual signs were an insult to Martin Luther King, Jr. and a reflection of the vile, vicious racism which strangles the city of Lansing. The Mayor and City Council would be sadly mistaken to assume the Martin Luther King, Jr. Blvd./Logan Street issue is just a Pastor's Conference issue. Furthermore, there are many whites and other minority citizens who are not satisfied with the dual designation. They too share the belief that it is time for Lansing to stand tall and give Dr. King the recognition he deserves.

There are some critics who argue that the Logan name should not be removed because it would be a dishonor to General Logan. Those who hold this position go on to say that the city has never removed the name of one person from a street sign to honor another person. The historical facts of Lansing street-naming practice doesn't support this position. The City of Lansing has a long history of changing street names whenever it wanted to do so! Eighth Street was once named Kerr Street, named in honor of John A. Kerr, mayor of the city in 1860. Lincoln Street, which is obsolete now, was named in honor of President Lincoln, the Civil War President. It is a bit hypocritical to say that the city can't remove the

Logan signs because it has made changes whenever it deemed necessary.

There is one other voice of criticism that must be addressed. There are those who say that the Pastors' Conference should not spend so much time on changing the name Logan when there are so many other critical problems in this city could be addressed. The question really needs to be reversed: If the city is unwilling to make a simple name change which would cost the city and business community practically nothing, then how can the city deal with the heavier issues of racism, prejudice, and discrimination, homelessness, the drug problem, violence, and other critical social problems in Lansing? The resistance to remove the Logan signs belies a deeper kind of fear and resistance in Lansing.

Not all white business owners on Martin Luther King, Jr. Boulevard/Logan Street are opposed to removing the Logan signs. However, there are other white business owners who do not want the street named solely Martin Luther King, Jr. Boulevard because they don't want the street identified solely with a black man. Their racist insecurities make them fear that a black man's name will project a negative image on the street, thereby having a devastating, destructive impact on their businesses.

But, the dual designation: Martin Luther King, Jr. Blvd/Logan Street will forever be an ugly reminder that Lansing still has a long way to go in dealing with its racism! Until it is changed it will always be a flashing warning signal that the seemingly peaceful coexistence between the races in Lansing is really a deceptive facade which hides the deeper fears and hostilities that really characterize race relations in quiet, peaceful Lansing. If we have to fuss and fight to remove the Logan name, only God knows what it will take to make King's Dream a reality in the Capital City.

Frank Curtis of 1137 W. Allegan read a history of the life and works of Dr. Martin Luther King, Jr.

Andrew Anthos of 216 W. Holmes said that both Dr. King and General Logan would be ashamed of this debate. He said each man should be honored and not have to share their tributes. He said the street should bear the name of one or the other man, not both. He suggested naming I-96, Cedar St., or Pennsylvania Ave. after Dr. King and letting Logan St. remain Logan St.

Judy Davidson of 1416 Pierce said that if Council is going to remove one of the names, it should be Dr. King's name. She wants to see Logan St. remain Logan St. and Dr. King given his own street. She said the City cannot keep changing names of streets, they should give new memorials, not change the names of old ones.

Lloyd Teets of 116 E. Elm St. said that the compromise made with the dual naming of Dr. Martin Luther King, Jr. Blvd./Logan St. was a terrible compromise and needs to be undone. He suggested that Council get back with the Pastors' Conference and come up with a suitable memorial for Dr. King.

Eddie Williams of 3201 Ronald St. said it is time for this issue to come to an end. It divides the City every 2 or 3 years. He said Council must come up with a final decision to end the tension and strain created by this issue.

Dan Zyfield 1000 ½ S. Washington asked what the transfer of funds was for. Councilmember Brockwell said it is for the administration of a new law office and the addition of a new attorney. Mr. Zyfield asked about item X D8. Councilmember Schmidt said the Parks Department is requesting a transfer of money from the sale of

parks property that should go into the general fund for the Parks Department.

Makzum Hassouna of 10070 Pollard Rd., Haslett objected to the denial of his claim against the City. He said the lein against this property was made before he purchased the property and he should not be liable for it. Councilmember Ford explained that his course of action is against the previous owner, not the City. He said that a proper title search would have turned up the lein since it was filed with the Ingham County Register of Deeds.

Melvin Jones, Pastor of Union Missionary Baptist Church and member of the Pastors' Conference said he has high expectations for the City and it's political leaders and would be saddened over a negative vote on the Dr. King issue. His children will grow up here and the community must be proud enough to understand how to act morally not politically. He asked the Council to have the guts to do the right thing.

Grady Porter of 745 W. Lenawee said that there is so much change going on in our times that this issue should not be so controversial. Some changes are positive and this will be a positive change and a help to the community.

Leonard Leeks of 905 West St. said that the naming of this street will help to bring the city back together again. He said that if council will name the street for Dr. King they will do what they can to turn it into a tourist attraction.

Joe Graves Pastor of Mount Zion Missionary Baptist Church, and President of the Pastors' Conference said that their original request was to name any major street after Dr. King. This request was in committee for over a year. He said the compromise was not ever supposed to be a permanent measure. It was made clear from the onset that the Pastors' Conference would be back in a few years to request that Logan St. be dropped from the name. He said that he spoke personally with Councilmembers and was promised their support. He added that they never pressured Council over this request. They could have packed the Chambers every week since the debate reopened and they should not be criticized for asking for the name change.

Jeffrey Champion of 1323 W. Michigan Avenue said that he still calls it Logan St. and does not think Logan St. is a good enough memorial to Dr. King. He suggested Kalamazoo St. as an alternative.

James J. DeRocco of 3815 Donald St. stated that he is a Christian and does not think God's blessing is on tonight's procedure. He said that all things have not been considered in this debate. he called for this issue to be settled for the Pastor's Conference, "if they want it this bad, we should give it to them."

Harold Leeman of 529 N. Francis asked where the money from the transfer of funds is going to go to and if the City had considered asking the Michigan Municipal League for assistance with this case. He asked to have the letter from Charles Browning from the Parks Board read aloud by City Clerk Blair.

John Miles of 1128 Woodbine called for the Council to settle the King/Logan issue and said that people who cry racism all the time are in fact the true racists themselves.

Mike Rathell of 308 N. Logan played part II of a song he wrote and

performed about Dr. Martin Luther King, Jr. Blvd./Logan St.

SPECIAL CEREMONIES

Mayor McKane introduced Peter Morris, National Scrabble Champion, Author, and Instructor at Michigan State University who started playing Scrabble at the Gier St. Community Center. Mr. Morris said he was pleased to be here and he enjoys living in Lansing.

Councilmember Beal introduced Elise Harvey who presented a video program on composting yard waste. She announced that there will be a class at the Foster Center on March 3, from 6:30 to 8:30 P.M.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford:

Carried unanimously

A. Letter from Andrea Maya Townesend, P.O. Box 6685, E. Lansing suggesting support services the City could provide for the homeless

REFERRED TO THE MAYOR

B. Notice from the Michigan Department of Commerce Liquor Control Commission of the denial of the request for transfer of SDM to Seong Suk Lee Brogan at 2221 E. Kalamazoo

RECEIVED AND PLACED ON FILE

C. Notice from Department of Natural Resources of a status change for a Permit to Ingham County Road Commission to widen Kalamazoo St. and replace the bridge over the Red Cedar River

REFERRED TO THE MAYOR

D. Letter from Elizabeth Kalka of 2401 S. Logan St. requesting no name change for Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE COMMITTEE OF THE WHOLE

E. Petitions signed by 191 residents of the City of Lansing requesting no name change for Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE COMMITTEE OF THE WHOLE

F. Application for Industrial Facilities Exemption Certificate from Louis Padnos Iron & Metal Co., P.O. Box 1979, Holland, MI for their Summitt Division located at 1900 W. Willow

REFERRED TO THE MAYOR AND THE COMMITTEE ON ECONOMIC DEVELOPMENT

G. Letter from Anna Caswell of 500 S. Pine St. #810 suggesting an alternate memorial to Dr. Martin Luther King, Jr.

REFERRED TO THE COMMITTEE OF THE WHOLE

H. Letter from Pat Luttmann of 1920 Beacon Hill Drive requesting that the City fund the 'Recyclers' Drop off Site

REFERRED TO THE MAYOR

I. Letter from Paul Gentilozzi of Gentilozzi Real Estate, Inc. 201 N. Washington Square requesting a progress report on the expansion of City parking facilities on North Capitol and South Grand

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane reviewed his nine letters on tonight's agenda; #1 five properties to set Public Hearings in consideration of Demolish or Make-Safe orders, #2 recommendations on the situation with the Ingham County Jail, #3 IPR for Team Plastics conditional to the resolution of taxes owed to the City Treasurer's Office, #4 resignation of Charles Browning from the parks Board, #5 appointment of Len Stuttmann to the Mayor's Recycling Board, #6 mid-year transfer of funds, #7 baseball and softball fees, #8 transfer of funds acquired through the sale of land by Kendon Park, #9 response to the letter from Karen Woods. He responded to the comments made regarding the dual name designation for Dr. Martin Luther King, Jr. Blvd./Logan St. saying that he did not intend to make people think that there was no thought of reopening the issue. He said the facts have not changed, most people still think of the street the same way. The transition would have taken longer than 3 years, maybe 8 or 10 years. He added that the Pastors' Conference has the right to petition for the name change, but things have not changed enough to warrant change at this time.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #091

February 12, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Craig Schade, Terrence Lee Collins, David W. Cochran

SECOND HAND DEALER: Lansing Discount Second Hand Store

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 10, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk providing notification of the

resignation of R. Vincent Green from the Board of Ethics effective February 1, 1992

RECEIVED AND PLACED ON FILE

C. Letter from Stephen W. Duarte, Director of Finance submitting Financial Statements of City Funds at December 31, 1991

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letters from the Mayor re:

1. RESOLUTION #092

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: February 13, 1992

SUBJ: Request for Public Hearing Regarding:

1129 West Ionia Street, 744 Verlinden Avenue, 910 Johnson Avenue, 216 S. Dr. Martin Luther King, Jr. Blvd./Logan St., 3003 Turner Street

The attached request for public hearing for 3-2-92 regarding the demolition of the above-named properties is submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

2. Recommendation re: Proposed Fee to be Charged by Ingham County for Housing of Ordinance Violators in Ingham County Jail

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Proposal to Establish an Industrial Development District—Team Plastics

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

4. Resignation of Charles Browning from Park Board

RECEIVED AND PLACED ON FILE

5. Appointment of Len Stuttmann to Mayor's Citizens Advisory Committee on Recycling

RECEIVED AND PLACED ON FILE

6. Mid-Year Transfer of Funds Requests

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7. 1992 Baseball/Softball Fees

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. Request for Transfer of funds within Capital Improvements Account

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

9. Response to letter from Karen Woods—City Leasing Activities

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

RESOLUTION #093

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the letter from Therese Porn, Chairperson of the Cable

Advisory Board, regarding a new Federal Communications Commission Rule entitled "Video Dial Tone",

REPORTS AS FOLLOWS: The Committee received a briefing from Staffmember Ron Onufer on the new FCC rule, which will permit telephone companies to send video programming to people's homes via the phone lines that also carry regular telephone service. The telephone companies will not be required to obtain cable television franchises in order to transmit video programming, because they will serve as common carriers by leasing the transmission capability, and will not own or generate the programs. The rule is seen as a direct threat to the entire cable franchising process, and as a large step toward invalidation of existing cable franchise agreements. A coalition of cities is hiring a law firm to challenge the rule, and Lansing has been invited to participate. The cost of joining the lawsuit coalition is a maximum of \$3,000. The Cable Advisory Board has recommended that the City Council record its opposition to the FCC rule. The Committee concurs, and is sponsoring a resolution on tonight's agenda to that effect. The Committee does not recommend that the City participate in the lawsuit coalition. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #094

February 17, 1992
AMENDMENTS

TO THE PLANNING AND ZONING CODE BEING CHAPTER 12
OF THE CODIFIED ORDINANCES OF LANSING, MICHIGAN

By the Committee on Physical Development

TO WHOM WAS REFERRED the matter of amendments to Chapter 12 of the Codified Ordinances of the City of Lansing, commonly known as the Planning and Zoning Code.

REPORTS AS FOLLOWS:

That the Planning and Zoning Code amendments to Chapter 1270.02; 1270.04 be approved.

SIGNED: Mark H. Canady
Lucile Belen
James Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: 7

NAYS: 0

ABSENT: 1

RESOLUTION #095

SLU-17-90

February 17, 1992

5400 Block of

South Dr. Martin Luther King, Jr. Boulevard/Logan Street

COMMITTEE ON PHYSICAL DEVELOPMENT

The Committee on Physical Development at their meeting of February 13, 1992 reviewed the revised proposal for a special land use request for the development of a new church to be located on property in the 5400 Block of Dr. Martin Luther King, Jr. Boulevard/Logan Street (west side). The Committee understands that, prior to any further action on this special land use request, a joint meeting including representatives from the church, the neighborhood organization in this area, the ward councilmember, and the Planning Division will be held to explain the proposed revisions.

SIGNED: Mark H. Canady
Lucile Belen
James Crawford

By Councilmember Canady

Carried unanimously

RESOLUTIONS

RESOLUTION #096

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Makzum Hassouna filed a claim against the City in the amount of \$285.00 in protest of a special assessment for a title search on his rental property located at 604 Helen Street, reasoning that since he bought the property on January 3, 1991, he should not be responsible for the cost of the title search and administrative charge performed on December 28, 1990; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the residential structure on the property was tagged as unsafe and dangerous by the Building Safety Division following attempts to have the previous owner bring the structure in compliance with City codes, that a notice was recorded with the Ingham County Register of Deeds advising that the City had begun demolition proceedings, and that the claimant did not have a title search of the property, which would have revealed the City's actions as recorded by the Register of Deeds, performed before purchase; and

WHEREAS, the Committee recommends that the denial of the claim be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Makzum Hassouna regarding the title search special assessment on the claimant's rental property at 604 Helen

Street; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #097

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Makzum Hassouna filed a claim against the City in the amount of \$483.00, of which \$283.00 is in protest of a special assessment for trash removal at his rental property located at 729 East Shiawassee, and the remaining \$200.00 is for replacement of two used garage doors taken by the City's contractor during the trash removal; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the property was cited for a trash violation by a Code Compliance Inspector, the claimant was properly given notice of the violation and time to remove the "building scraps behind the garage," the claimant did not complete the clean-up by the time of the re-inspection leaving two used garage doors and associated hardware near the garage, and the City's contractor removed these items as authorized by the Building Safety Division; and

WHEREAS, the Committee recommends that the denial of the claim be upheld, since the claimant did not fully comply with the trash violation notice by the time of reinspection;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Makzum Hassouna regarding the trash removal special assessment on the claimant's rental property at 729 East Shiawassee; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #098

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Hamid Khorrami filed a two-part claim against the City in protest of special assessments against his rental property located at 917 West Lapeer Street; and

WHEREAS, the first part of the claim was in the amount of \$239.50 for a weed-cutting and the second part was in the amount of

\$352.80 for a trash removal; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the Building Safety Division complied with all inspection and notice requirements of the Housing Code, that the claimant did not fully comply with the violation notices for weeds and trash on the property, and that the claimant's contention that other people dump trash in the yard of the property does not relieve him from responsibility to keep the yard in compliance with the Housing Code; and

WHEREAS, the Committee recommends that the denial of both parts of the claim be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Hamid Khorrami regarding special assessments against his rental property at 917 West Lapeer Street; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #099

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, late last year, the Federal Communications Commission issued a final decision that video dial tone systems built by local telephone companies do not require a franchise under the 1984 Cable Act; and

WHEREAS, FCC staffmembers are reported to have said this proceeding is the first step toward elimination of local franchise requirements for all providers, including incumbent cable operators, since it will be difficult to enforce existing cable franchise requirements if the local telephone company is permitted to provide similar service without a franchise; and

WHEREAS, FCC Commissioners need to be aware of the benefits received by the public when local governments have the necessary authority to assess the needs of their citizens and make enforceable service requirements in franchises granted to providers of telecommunications services; and

WHEREAS, the Video Dial Tone Rule exempting telephone companies from a local franchising requirement would allow a telephone company to provide video services only in high-profit areas of Lansing, with no reimbursement to the City for use of the public rights-of-way, and no requirements to provide channel capacity, studio facilities and equipment that give members of the public free access to the medium, in the same manner as a cable television company is required to perform in our City under the provisions of Chapter 810 of the City Code; and

WHEREAS, the FCC has embarked on a path that does not provide safeguards which would protect long-recognized interests in developing a communications system which is responsive to local interests, and is accessible to all;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 17th day of February, 1992, hereby protests the Federal Communications Commission's Rule, issued in Docket 87-266, which exempts telephone companies offering video dial tone services and the programmers using such services from the requirement to obtain a franchise from local municipalities; and

BE IT FURTHER RESOLVED this Council urges the FCC to reconsider its rule in light of the many public interests served by the franchising process included in the Federal Cable Act of 1984; and

BE IT FURTHER RESOLVED the Clerk is directed to send copies of this resolution to the Federal Communications Commission, to members of the Michigan Congressional Delegation, to the National League of Cities, and to the Michigan Municipal League.

By Councilmember Ford

Carried unanimously

RESOLUTION #100

Committee on Physical Development

WHEREAS, Lloyd A. Glew and Kim R. Glew have expressed an interest in purchasing City-Owned property adjacent to and West of their Property located at 2303 LaBelle Road, Lansing, Michigan, legally described as:

Those parts of Lots 93 and 94, Kenbrook, part of NE ¼ of NE ¼ Section 7, T3N R2W, Delhi Township, now City of Lansing, Ingham County, Michigan; lying North of the Northerly line of Edgewood Boulevard right-of-way, said Northerly line lying 52.5 feet East of and parallel to the survey centerline thereof, those parts of lots above being more particularly described as:

Commencing at the Northeast corner of said Lot 93, thence South 149.46 feet to the Southeast corner thereof, thence West 17.58 feet to said Edgewood Boulevard right-of-way, thence Northwest along street 181.32 feet along a 1475.39 foot radius curve concave to the Northeast to a point on the North line said Lot 94 lying 0.15 feet East of the northwest corner thereof, thence East 119.85 feet to the Point of Beginning.

for the purpose of enlarging their lot and maintaining open space between their residence and West Edgewood Boulevard; and

WHEREAS, the Planning Division has reviewed this request and concurs with the recommendation to join this excess land with the property at 2303 LaBelle Road, provided there is a deed restriction prohibiting access to West Edgewood Boulevard; and

WHEREAS, the City Assessor's office has established a value of \$2,000.00 on the property; and

WHEREAS, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of Real Estate;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Lansing City Council that the proposed sale of vacant land located at the

southeast corner of LaBelle Road and West Edgewood Boulevard to Lloyd A. and Kim R. Glew for the amount of \$2,000.00, be and is hereby approved; and

BE IT FURTHER RESOLVED that the City Administration be and is hereby authorized and requested to sign all documents required to implement the sale of this property.

By Councilmember Canady

Carried unanimously

RESOLUTION #101

Committee on Physical Development

WHEREAS, Complete Hitch and Welding Co. has expressed an interest in purchasing City-Owned property adjacent to its business located at 6283 South Dr. Martin Luther King, Jr., Boulevard/Logan Street, Lansing, Michigan, legally described as:

Lots 76, 77 & 78 Kenbrook Subdivision, a part of the NE ¼ of the NE ¼ Section 7, T3N R2W, Delhi Township, now City of Lansing, Ingham County, Michigan; also part of Lot 80 said sub lying southerly of a line commencing 29.69 feet east of the southwest corner thereof, thence northwesterly 71.52 feet along a 1580.29 foot radius curve to the right chord bearing N 24DEG 33MIN 03SCD W 71.51 feet to a point of ending on the west line Lot 80 82.86 feet south of the northwest corner thereof; also part of Lot 79 said sub lying southerly of a line commencing 64.81 feet north of the southeast corner thereof, thence northwesterly 1.01 feet along a 1580.39 foot radius curve to the right chord bearing N 23DEG 14MIN 10SCD W 1.01 feet, thence N 23DEG 14MIN 10SCD W 68.71 feet, thence northwesterly 20.62 feet along a 663.7 foot radius curve to the left chord bearing N 24DEG 06MIN 28SCD W 20.62 feet to a point of ending on the north line Lot 79 24.13 feet east of the northwest corner thereof; also parts of Lots 63 & 64 said sub lying southerly of a line commencing at a point 24.13 feet east of the southwest corner said Lot 63, thence northwesterly 140.20 feet along a 663.70 foot radius curve to the left chord bearing N 31DEG 02MIN 58SDC W. 139.94 feet to a point of ending 48 feet west and 27.80 feet south of the northeast corner of Lot 64 above.

for the purpose of expanding its present facility; and

WHEREAS, the Planning Division has reviewed this request and concurs with the recommendation to join this excess land with the property at 6283 South Dr. Martin Luther King, Jr, Boulevard/Logan Street provided there is a deed restriction prohibiting access to West Edgewood Boulevard; and

WHEREAS, the City Assessor's office has established a value of \$5,000.00 on the property; and

WHEREAS, Section 8-403.4 of the City Charter of the City of Lansing requires that City Council approve proposed sales of Real Estate;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Lansing City Council that the proposed sale of vacant land located on West Edgewood Boulevard to Complete Hitch and Welding Co. for the amount of \$5,000.00, be and is hereby approved; and

BE IT FURTHER RESOLVED that the City Administration be and is hereby authorized and requested to sign all documents required to implement the sale of this property.

By Councilmember Canady

Carried unanimously

RESOLUTION #102

COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, it is the policy of the City Council of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of Lansing neighborhoods; and

WHEREAS, residents of Sparrow Estates have petitioned the City to acquire property at 816 East Shiawassee Street for the purpose of removing the commercial use located there; and

WHEREAS, the City Administration has concurred with the residents' request to purchase this property and recommends the disposition of the property according to one of two options; and

WHEREAS, the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisitions and disposition of real property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the City Administration be and is hereby authorized to acquire the property described as:

816 E. Shiawassee (Permanent Parcel 3301-15-151-181-0), legally described as the east 23.5 feet of the north 65.0 feet of Lot 7 Haag's Addition; and

BE IT FURTHER RESOLVED that the Administration is authorized to dispose of the property through either one of the following options:

Dispose of the land when cleared to adjacent property owners at a price of \$1.00 per front lined foot, plus closing costs; or

Sell the property to a community cooperative to develop a laundry to serve members in the neighborhood; and

BE IT FINALLY RESOLVED that the costs associated with these acquisitions and clearance activities shall be charged to the City's Community Development Block Grant Program.

By Councilmember Canady

Carried unanimously

RESOLUTION #103

February 17, 1992

By Councilmember Canady:

Resolved by the City Council of the City of Lansing, Michigan that a public hearing be set for Monday, March 23, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance adopting a Development Plan for the Seven Block Area pursuant to Act 344 of the Public Acts of 1945 as amended.

By Councilmember Canady

Carried unanimously

RESOLUTION #104

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to appoint Terry D. Eagle to the Downtown Mall Advisory Board is hereby confirmed, term to expire February 1, 1993.

February 17, 1992.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #105

BY THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has submitted his recommendation on the fees for the 1992 Senior Citizen Season Golf Passes: and

WHEREAS, the Mayor's recommendations include no fee increase for Lansing residents, the introduction of a reduced price season pass valid at only the nine-hole golf courses, and the re-introduction of a Non-Resident Season Pass: and

WHEREAS, the Committees sponsoring this resolution were informed that as a result of the increase in fees last season and the elimination of non-resident passes, participation in this program dropped over 55% in 1991 as compared to the 1990 season: and

WHEREAS, both Committees concur with the Mayor's recommendation.

NOW, THEREFORE BE IT RESOLVED the Lansing City Council hereby establishes the following fees for Senior Citizen Senior Golf Passes to be in effect for the 1992 season:

RESIDENT FEES

Gold Pass: \$350/year—valid at all golf courses.

Silver Pass: \$250/year—valid only at nine-hole courses.

NON-RESIDENT FEES

Gold Pass: \$450/year—valid at all golf courses.

Silver Pass: \$350/year—Valid only at nine-hole courses.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #106

BY: COUNCILMEMBER LUCILE BELEN

WHEREAS, the Lansing City Council has established an Lansing Industrial Development District (IPR-8-91) in the City of Lansing, pursuant to Act 198 of 1974, as amended, located at 1900 W. Willow Street, Lansing, Michigan more fully described as Parcels 1 & 2 on Attachment I as attached; and

WHEREAS, Louis Padnos Iron & Metal Company, Summit Division, has submitted an application for an Industrial Facilities Exemption Certificate (IPR-8-91) for the installation of new equipment within the established district; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on Louis Padnos Iron & Metal, Summit Division, application for an Industrial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

BE IT FURTHER RESOLVED that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Industrial Development District; and

BE IT FINALLY RESOLVED that such hearing shall be held in the Council Chambers, 10th Floor, Lansing City Hall on Monday, March 9, 1992 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Belen

Carried unanimously

ATTACHMENT I

PARCEL 1

The following from "Assessor's Plat No. 11" in the Northwest ¼ of Section 8, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan:

Lot 37, EXCEPT the North 300.00 feet thereof,
The South 350.00 feet of the North 650.00 feet of Lot 38,
Lot 39, Lot 40, Lot 41,
The North 132.33 feet of lot 42, EXCEPT the South 46.00 feet of the North 61.55 feet of the West 124.50 feet thereof.

PARCEL 2

The following from "Assessor's Plat No. 11" in the Northwest ¼ of Section 8, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan:

Lot 8, Lot 9, Lot 10
Lot 11, EXCEPT the East 173.25 feet thereof,
Lot 12, EXCEPT the East 361.00 feet thereof, ALSO EXCEPT the North 50.00 feet of the West 35.00 feet of the East 396.00 feet thereof,
Lot 15, EXCEPT the East 99.00 feet thereof,
Lot 16, EXCEPT the East 396.00 feet thereof,
The North 132.00 feet of Lot 26.

RESOLUTION #107

BY COMMITTEE ON WAYS AND MEANS 2/17/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

\$100,000.00 from Fund Bal. A/C 101-000000-390001-00000
100,000.00 to Law Bgt. Ctrl. A/C 101-172900-992200-00000
(Additional funds for professional services, to pursue litigation currently in progress. (Ac. 101-172900-743000-0))

\$5,782.06 from Adm. Ser.-Bgt. Ctrl.
A/C 101-173101-992200-00000
5,782.06 to City Atty-Bgt. Ctrl.
A/C 101-172900-992200-00000
(Residual upon completion of fifth floor Law Offices and fourth floor Law Library. To memo account 101-172900-743000 00000.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Brockwell

Carried unanimously

XII-G BY COUNCILMEMBER MARK CANADY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on April 24, 1989, this Council adopted Resolution #157, which determined that Logan Street be co-designated as Dr. Martin Luther King, Jr. Boulevard as well as Logan Street; and

WHEREAS, on January 13, 1992, the Pastors' Conference of Greater Lansing presented petitions to this Council, signed by approximately 1,000 persons, requesting that the name of Logan Street/Martin Luther King, Jr. Boulevard be changed to remove the Logan Street designation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the petition request and authorizes the Mayor to remove the Logan Street designation from Martin Luther King, Jr. Boulevard.

By Councilmember Canady

To discharge the Committee of the Whole on this item

Carried unanimously

By Councilmember Canady

To place an affirmative vote on the resolution

Defeated by the following vote:

YEAS: Councilmembers Beal, Canady, Ford

NAYS: Councilmembers Belen, Brockwell, Crawford, Schmidt

Following the vote on item XII-G Council President Crawford called for a 5 minute recess. Council recessed at 9:25 and reconvened at 9:30.

RESOLUTION #108

BY: COMMITTEE OF THE WHOLE

WHEREAS, the City of Lansing is commencing a Combined Sewer Overflow Project; and

WHEREAS, the City Administration is exploring and is desirous of utilizing all available funding options in order to complete the Combined Sewer Overflow Project including the use of State Revolving Funds.

WHEREAS, the Law Department has recommended that the law firm of Miller, Canfield, Paddock & Stone be utilized in providing legal assistance to the City by financing the Combined Sewer Overflow Project through the issuance of bonds.

NOW, THEREFORE, BE IT RESOLVED, that the Law Department be authorized to utilize the legal services of Miller, Canfield, Paddock & Stone in order to provide legal assistance to the City in

the issuance of bonds and the development of funding for the City of Lansing Combined Sewer Overflow Project.

By Councilmember Belen

Carried unanimously

RESOLUTION #109

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, On the date of George Washington's birth, February 22, 1992, thousands of Americans will join in a celebration of the 150th anniversary of Abraham Lincoln's call for a drug-free America: and,

WHEREAS, Lincoln's original address, delivered at the Second Presbyterian Church near Springfield, Illinois, praised Washington and a Washingtonian Society organized to help alcoholics: and,

WHEREAS, in connection with the celebrations planned around the country, the Michigan Interfaith Council on Alcohol Problems is sponsoring a re-enactment of Lincoln's address on February 22, 1992 at 1:30 P.M. at the First Presbyterian Church located one block west of the Michigan State Capitol here in Lansing: and,

WHEREAS, the Michigan Interfaith Council on Alcohol Problems has, since 1905, worked to end the suffering created by America's most devastating drug problem.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby expresses their support of the goals of the Michigan Interfaith Council on Alcohol Problems: and,

BE IT FURTHER RESOLVED the City Council urges all residents to attend this celebration to demonstrate their support of the goal of making our society truly "Drug-Free".

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING PART 10 SPECIAL ASSESSMENTS

By Councilmember Schmidt

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 10, relative to Special Assessments by the City of Lansing

Was introduced by Councilmember Benavides read a first and second time by it's title and referred to the Committee of the Whole.

RESOLUTION #110

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Schmidt

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, March 2, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering

an Ordinance to amend Part 10 of the Codified Ordinances of the City of Lansing, Michigan relative to Special Assessments

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Canady

That we proceed to the passage of Ordinances.

By Councilmember Canady

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to amend Part Twelve, Chapter 1270, Sections 1270.02 and 1270.04 of the Code of Ordinances for the purpose of the Regulation of Parking in G-1 Business Districts be placed on order of immediate passage.

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to amend Part Twelve, Chapter 1270, Sections 1270.02 and 1270.04 of the Code of Ordinances for the purpose of the Regulation of Parking in G-1 Business Districts be now passed.

YEAS: 7

NAYS: 0

ABSENT: 1

ORDINANCE #848

CHAPTER 1270

G-1 Business District

1270.01 Intent.

1270.02 Principal uses Permitted.

1270.03 Uses permitted subject to special conditions.

1270.04 Special land uses.

1270.05 Height and area requirements.

CROSS REFERENCES

Zoning and planning in home rule cities—see M.C.L.A. §117.4i

Regulation of location of trades, buildings and uses by local authorities—see M.C.L.A. §125.581

Regulation of buildings; authority to zone—see M.C.L.A. §125.582

Regulation of congested areas—see M.C.L.A. §125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property—see M.C.L.A. §125.583a

Effect of zoning ordinance or zoning decision in presence of demonstrated need for certain land use—see M.C.L.A. §125.592

1270.01 INTENT.

The intent of the G-1 Business District is to allow for a general retail commercial district for the downtown area.

(Ord. 636. Passed 3-7-83.)

1270.02 PRINCIPAL USES PERMITTED.

In a G-1 Business District, the following principal uses are

permitted:

- (a) A comparison retail store;
- (b) A private club, fraternal organization or lodge hall;
- (c) A restaurant, bar or tavern;
- (d) A fully enclosed theater, assembly hall or concert hall;
- (e) A hotel or motel;
- (f) A public park and playground, except those regulated by special conditions pursuant to Section 1256.03(g), (h) and (i);
- (g) Any principal use permitted in a D-1 Professional Office District;
- (h) Any principal use permitted in an E-2 Local Shopping District; EXCEPT AN OFF-STREET PARKING FACILITY;
- (i) Any other use which, by the decision of the Planning Board is similar to the principally permitted uses set forth this section; and
- (j) An accessory structure which is customarily incidental to any of the uses permitted by this section.

(Ord. 735. Passed 11-24-86.)

1270.03 USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.

(a) The uses described in this section shall be permitted in a G-1 Business District if the dimensional requirements described in Section 1248.05, the landscape, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all local, State and Federal laws are met.

(b) Any conditional use which is conditionally permitted in the E-2 Local Shopping District as described in Section 1266.03 shall be permitted in a G-1 Business District, if all criteria of Section 1266.03 are met.

(c) A residential use shall be permitted in a G-1 Business District, if the residential use meets the lot area requirement of the DM-4 Residential District.

(d) An educational facility shall be permitted in a G-1 Business District, if it meets the following conditions:

(1) The lot on which the facility is located has not less than one lot line abutting a principal arterial, as defined in the Comprehensive Plan.

(2) The primary ingress and egress of the educational facility shall be the ingress and egress connected to the principal arterial described in paragraph (d)(1) hereof, except if approval is obtained from the Planning Board after a public hearing held pursuant to the procedures described in Section 1282.02.

(e) A child care facility which meets the following conditions shall be permitted in a G-1 Business District:

(1) The facility shall provide and maintain on the lot not less than 5,000 square feet of open space;

(2) For each child in the facility in excess of thirty-three children, the facility shall provide and maintain 150 additional square feet of open space.

(f) A functional family which meets all the following conditions shall be permitted in the G-1 Business District:

(1) Not more than five persons per unit shall be allowed.

(2) The square footage of each room area shall meet the minimum requirements of the Building Code.

(3) There is one off-street parking space for each vehicle associated with the members of the functional family, but not less than two off-street parking spaces altogether.

(Ord. 735. Passed 11-24-86.)

1270.04 SPECIAL LAND USES.

(a) The uses described in this section shall be permitted by Council in accordance with the procedures and conditions described in Chapter 1282 if the conditions described in this section for each use are met, and if all Federal, State and local laws are met.

(b) A church located on a lot which abuts a collector, principal arterial or minor arterial, as defined in the Comprehensive Plan, may be permitted in the G-1 Business District.

(c) A structure which is used by a governmental entity in a manner similar to any of the principal permitted uses described in Section 1270.02 may be permitted, subject to review by the Planning Board pursuant to Public Act 285 of 1931, as amended, being M.C.L.A. 125.31 to 125.45.

(d) A structure which is owned or operated by a public utility in a manner similar to any of the principal permitted uses described in Section 1270.02 may be permitted, subject to review by the Planning Board, pursuant to Public Act 285 of 1931, as amended, being M.C.L.A. 125.31 to 125.45.

(e) An experimental, research or development laboratory may be permitted in the G-1 Business District.

(Ord. 735. Passed 11-24-86.)

(f) AN OFF-STREET PARKING FACILITY.

1270.05 HEIGHT AND AREA REQUIREMENTS.

In a G-1 Business District there shall be no height limitations on structures and no minimum yard dimensions.

(Ord. 636. Passed 3-7-83.)

CONSIDERATION OF LATE ITEMS

1/ By Councilmember Beal a request that Elise Harvey be allowed to make a presentation regarding yard waste and composting during that portion of the agenda reserved for special ceremonies

THE RULES WERE SUSPENDED AND MS. HARVEY MADE A PRESENTATION DURING SPECIAL CEREMONIES

2/ By Councilmember Schmidt a resolution of support for the Michigan Interfaith Council on Alcohol Problems "Drug-Free" Program to be held February 22, 1992

HANDLED AS RESOLUTION #109

3/ By Councilmember Ford a letter from the Coalition for Community Concerns regarding the dual name designation for Dr. Martin Luther King, Jr. Blvd./Logan St.

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Canady

To excuse Councilmember Benavides from tonight's proceedings

Carried unanimously

PUBLIC MAY COMMENT

William Hubbell of 1128½ Cooper Ave. thanked Council for maintaining the dual name designation for Dr. Martin Luther King, Jr. Blvd./Logan St., and asked why both President Washington and

President Lincoln's birthdays are celebrated on the same day and why the City does not accord the same honor to President's day as it does to Dr. Martin Luther King, Jr. Birthday.

William Bernstein of 420 S. Baker St. spoke regarding his trial for disturbing a public assembly when the original charge was trespassing at a Council meeting.

Reverend Melvin Jones, Pastor of Union Missionary Baptist Church, expressed his disappointment saying this is no way to solve the communities problem. He said that the vote and the impasse aggravates the problem. He addressed Councilmember Schmidt's remarks about the calls and letters she has received regarding this issue. He asked her to recall when the issue was brought before Council originally and the Chambers were filled with people who supported the Dr. King name change from every ethnic background. He said they did not go out to seek more public support for their petition but now they know this needs to be done.

Frank Curtis of 1136 W. Allegan said that there is not one statue or building named for a black man in the City of Lansing. He said that the kind of action Council took this evening will result in violent racial conflict.

Daryl Burgess of 1407 Prospect spoke regarding the Civic Center. He asked why Council is not doing something to stop the demolition of the Center. The Civic Center was dedicated to Veterans, why aren't the veterans an issue and why won't anyone on Council stick up for them?

James T. Lyons of 411 Bartlett, President of Sons of the Revolution said that the group will hold a celebration in honor of George Washington's birthday on February 22, 1992 at the George Washington Statue on Allegan St. at the corner of the Lewis Cass Building.

Robert Davidson of 607 S. Grand Ave. spoke on behalf of the L.A. Davidson Corporation who own the building at 216 E. Hillsdale and are trying to renovate the structure they have applied to the building department for an extension of time in which to determine how much work needs to be done to the building, but their request was denied. He asked for Council's intervention. Councilmember Canady asked that this situation be referred to the Committee on Public Service. Councilmember Schmidt asked if they are currently working on the building. Mr. Davidson replied that they are working on it, but the building is full of junk that they have to clean out so they can see what needs to be done with the house to save it.

Lester D. Stone, Pastor of Friendship Baptist Church thanked the Councilmembers who voted to remove the Logan St. designation from Dr. Martin Luther King, Jr. Blvd./Logan St. He said that for the black community this issue is not over. They were never satisfied with the dual name designation and have always felt it was an insult to Dr. King. He said that this vote sent a clear signal to the City and black community that there is stubbornness on the part of the Council that will not allow them to make a fitting memorial to Dr. King. He questioned Councilmember Belen's lack of comments.

Lloyd Teets of 116 E. Elm St. spoke regarding vicious dogs and crooked politicians.

Reverend Graves of Mount Zion Missionary Baptist Church thanked the Councilmembers who voted to remove the Logan St.

designation from the dual name and noted that only one white councilmember voted for it. He stated that Councilmember Belen misled him. He is from the south and knows the struggle of his people. He has had to fight all his life to get where he is today and he will not give up the fight now. If Council will not give Dr. King the proper memorial he will get it in another way. He marched with Dr. Martin Luther King all over the country. He spoke of the children in the city who would be greatly affected by the memorial to Dr. King, and said that it would give them a role model and more pride.

Andrew Anthos of 216 W. Holmes thanked Reverend Graves and said that we can learn much from him. He thanked Councilmembers Ford and Brockwell for voting to allow him extra speaking time last Monday. He spoke regarding his project to light the Dome of the Capital.

Leon Helpman of 631 Addison, President of UAW Local 2256 presented Council with a comparison of the City's budgets over the last several years.

Fred McLaughlin of 222 W. Kalamazoo St. said he is disappointed in the whole process tonight. He said there was a lack of leadership here tonight. He said he hopes the Pastors' Conference will persist until the change is made.

REMARKS BY THE MAYOR

Mayor McKane announced the "Second Annual Walk for Warmth", a 1 to 3 mile fast walk this Saturday. Registration is at 9:00 A.M., the opening ceremony is at 9:45. The proceeds will go to Capitol Area Community Services on E. Willow to assist low income families with fuel bills. He announced that the Parks and Recreation Department will try to prevent the types of problems they had last year by an early announcement that beginning March 1st all artificial flowers, shrubbery, wreaths, etc. must be removed from graves in municipal cemeteries. Any that are left after March 1, 1992 will be removed by City personnel and disposed of.

REMARKS BY COUNCILMEMBERS

Councilmember Belen reminded those present that Council did offer Riverfront Park as a memorial to Dr. Martin Luther King, Jr. and they offered to put a bust of him in the park dedicating it, they offered Capitol Loop also. She said that she had never made a statement to anyone in opposition to the Pastors' Conference request when they filed their petition this time.

Councilmember Canady asked for a position statement from the Planning Department and the City Attorney's Office as to how long a petitioner must wait after denial of a rezoning request before they can file a new request.

Councilmember Ford said that this week's recognition in honor of Black History Month was dedicated to Leonard R. McConnell the first black appointment to the Michigan Parole Board. Appointed in 1974 he became chairman of the board. He was also Police Commissioner, a member of the YMCA, member of Kiwanis Club of Lansing, member of Board of Directors of Lansing Community College Foundation, and on the Board of the Center for Performing Arts.

Councilmember Brockwell said that members of Council who did not vote for the name change for Dr. Martin Luther King, Jr. Blvd./Logan St. have been called racist. No one on Council is racist. He

said that he greatly respects Dr. King. The Pastors' Conference is not in a compromise mode, however there are people out there, black and white who are willing to accept a compromise on this issue.

Councilmember Schmidt announced that the Public Safety Committee will meet on Wednesday and she asked City Clerk Blair where we are with the Presidential Preference Election?

James D. Blair, City Clerk explained the process of conducting simultaneous elections for the Republican and Democratic Parties, the way in which absent voter's ballots are handled, the process for voting at the polls on election night, the reasons for the temporary precinct changes for this one election, the notification to voters of both temporary precinct changes for this election, and permanent precinct changes brought about by redistricting last fall. He announced that for the first time in Lansing election history all precincts will be barrier free. He told the voters that the LCC election will be a separate election and said that he does not expect much voter turnout for the Presidential Preference Primary because of the confusion it has generated.

ADJOURNED 10:45 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

62

Proceedings, February 24, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
February 24, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

MINUTES

By Councilmember Belen

To approve the printed Council proceedings of February 3, and February 10, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1 / From Councilmember Ford a resolution of tribute honoring the contributions of Leonard R. McConnell

2 / From Councilmember Ford a request for non-profit status for the Michigan Association of Retired School Personnel Foundation, Inc.

3 / From Councilmember Ford a request that time be allotted under the special ceremonies portion of the agenda for special recognition of William Waldo Wright

4 / From Councilmember Schmidt a letter from Aarne H. Frobom of 2744 Trudy Lane #16 requesting street sign changes in the area of Forest and Collins Roads

5 / Letter from James T. Lyons, National Secretary of the Sons of Union Veterans of the Civil War regarding the recent request by the Pastors Conference to remove the Logan St. designation from Dr. Martin Luther King, Jr. Blvd./Logan St.

SCHEDULED PUBLIC HEARINGS

A. In consideration of granting an Industrial Development District for Jet Die Barnes Group, Inc. of 5300 Aurelius Rd.

Lloyd Teets of 116 E. Elm objected to tax abatements being given by the city. He said the residents pay the cost of the tax breaks that are given to special interest groups.

Councilmember Canady responded that this project will bring 75

new jobs to the City. This is very important especially to the 75 families who will benefit by the jobs. He said that Lansing could have much larger income tax revenues if they had given the tax abatement to General Motors several years ago, but they didn't, and as a result GM took their plant outside City Limits. He said that what they are doing is saving jobs and putting more income tax money into the City's budget.

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke regarding the \$18,000 transfer of funds into the Law Budget Control requested to cover a deficit due to the increase in civil litigation.

SPECIAL CEREMONIES

Reverend Lester Stone of the Friendship Baptist Church at 925 Main St. spoke regarding William Waldo Wright. He is a deceased member of Friendship Baptist Church, an original Charter member of the Church, photographer for the Church, employee of Oldsmobile for 38 years. And he served the Church faithfully for 57 years. Councilmember Ford read Resolution #708 adopted by the City Council of the City of Lansing on December 2, 1991 in honor of Mr. Wright and Friendship Baptist Church and introduced Mr. Wright's family.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That communications and petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Newsletter circulated by 'The Recyclers of Ingham, Eaton, & Clinton Counties'

RECEIVED AND PLACED ON FILE

B. Letter from L.A. Davidson Real Estate Investment Corporation regarding their property at 216 E. Hillsdale St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

C. Letter from the Department of Natural Resources regarding the preliminary plat of Oakwood Executive Park

**REFERRED TO THE MAYOR AND
THE PLANNING DEPARTMENT**

D. Letter from Harold Leeman, Jr. of 529 N. Francis requesting information regarding lobbying done on behalf of the City of Lansing by Kevin McKinney

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane outlined his 12 letters on the agenda; #1 request for waiver of the noise ordinance by WMMQ Radio Station to allow them to hold the 'Brown Bag Lunch' concerts, #2 memo from the City Attorney regarding an adult bookstore on S. Pennsylvania, #3 Michigan Municipal League Legal Defense Fund and City of Lansing v Rose, #4 Appointment of Wilbur Sherman to the Historic District Commission, #5 vacancy rate in City Departments, #6 rules and forms for exemption from recycling fees, #7 rental property registration program update, #8 industrial development district for Jet Die-Barnes Group, #9 objectives and use of funds for community development block grant program for 1992-93, #10 SLU-1-92, Potter park Zoo, #11 purchase of vacant land, #12 small business administration grant to plant trees.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #111

February 20, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Brian Brickley
PUBLIC DRIVER: Allan Louis Williams
TRANSFER CLASS C: Steve's Pub Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 17, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk submitting Board Evaluations for:

-Mechanical Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

-Board of Water and Light

REFERRED TO THE COMMITTEE OF THE WHOLE

-Board of Police Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

-Plumbing Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

-Traffic Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

-Board of Fire Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

-Building Board of Appeals

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

D. Letters from the Mayor re:

1. RESOLUTION #112

February 20, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Re: Public Hearing for Noise Waiver Request by WMMQ

Dear President Crawford and Councilmembers:

The attached letter from Robert Ottaway, President of WMMQ Radio Station, has been received in my office. The station is requesting a waiver of the City Noise Ordinance to hold their annual Brown Bag Lunch Concert Series every Friday from May 22-September 4, 1992. The concerts will be held from 11:30 A.M.-1:30 P.M. in the 100 block of the Washington Square Mall. This request has been approved by the Mall Advisory Board.

I hereby request that the attached resolution to set a Public Hearing for Monday, March 9, 1992 at 7:00 P.M. regarding the proposed waiver be approved by Council.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Belen

To accept the recommendations of the Mayor and set a public hearing for Monday, March 9, 1992 at 7:00 P.M.

Carried unanimously

2. Adult Bookstore at 6545 S. Pennsylvania

RECEIVED AND PLACED ON FILE

3. Michigan Municipal League Legal Defense Fund-City v Ed Rose, et al

RECEIVED AND PLACED ON FILE

4. Appointment of Wilbur Sherman to Historic District Commission

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5. Vacancy Factor (City Personnel)—Update

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. Curbside Recycling and Yard Waste Collection Exemptions

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

7. Update on Rental Registration and Inspection Program

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8. Proposal to Establish an Industrial Development District—Jet Die-Barnes Group, Inc.

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

9. Draft Statement of Objectives and Projected Uses of Funds
for Fiscal Year 1992-93 Community Development Block Grant
Program

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

10. SLU-1-92, 1315 South Pennsylvania Avenue Potter Park
Zoo Expansion—Red Cedar River Flood Plain

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

11. Proposed Acquisition of Property (1230 W. Ottawa)

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

12. Small Business Administration Grant to Plant Trees

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #113

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the requests to establish adult crossing guards at the intersection of Manor Drive and Northrup Street, and at the intersection of Kilborn Street and Pine Street,

REPORTS AS FOLLOWS: The Committee has reviewed the recommendations submitted by the Transportation Division and the Traffic Board in response to these requests. The Traffic Board concurred with the Transportation Division Staff recommendation to deny both requests. However, the Committee felt that the characteristics reported for both intersections are exceptionally close to meeting the criteria utilized to establish an adult crossing guard location, and that if the data had been compiled on different days these intersections may well have met the criteria. As a result the Committee looks favorably upon these requests at this time. However, the Committee, cognizant of current financial constraints, believes a financial review is needed prior to final action. This item is hereby remanded to the Committee on Ways and Means for financial review.

SIGNED: Alfreda Schmidt
Tony Benavides
Charles Ford

Committee on Public Safety

BY COUNCILMEMBER SCHMIDT:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

February 24, 1992.

RESOLUTION #114

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Analysis of Revenues Report for Non-General Fund Revenues dated December 31, 1991; whereby the Committee to comply with its responsibility to keep the entire Council fully informed on revenue and other financial matters had Internal Audit review and issue its commentary on the report, the Committee transmitting a summary of the Internal Audit commentary.

REPORTS AS FOLLOWS:

Cemetery Fund—revenues are below expectations which is currently under administrative and audit review.

Sewage Disposal System Fund—revenues are anticipated not to meet forecasted revenues by approximately \$1,200,000. This is due to reductions in industrial and commercial usage.

Public Service Garage Fund—revenues are expected to be about \$300,000 less than original forecasted revenues due to the manufacturer's delay in providing the City with its recycling trucks. This fund generates its revenue from equipment rental charges against Public Service field operations.

Municipal Parking System Fund—revenues are expected to be below forecasted estimates by approximately \$350,000 at this point in time. Economic recession is deemed to be part of the problem. However, the Committee requests a report from the Parking Division as to the nature, causes and extent of the revenue shortfall.

Potter Park Zoo Fund revenues are \$50,211 as of December 31, 1991. The original forecasted revenues for FY 1991-1992 was estimated at \$344,378. The Committee requests a formal report on the revenue status of this fund, as well as the general financial condition of the fund. The Committee also requests detailed justification for the \$146,862.24 subsidy transfer request which had been requested to be used to offset the revenue shortfall.

Park Trust Fund—interest income is expected to be only 2/3 of last year's level according to the Finance Department.

Signed: Tony Benavides, Chair
Robert Brockwell, Vice-Chair
Alfreda Schmidt, Member

BY TONY BENAVIDES:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #115

BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, Team Plastics, Inc. has requested on behalf of the property owners, Dan Smith and Hubert Kerstead that the Lansing City Council establish a Lansing Industrial Development District (IPR-I-92) pursuant to Act 198 of 1974, on property at 5646 Commerce Drive, Suites B & C, Lansing, MI more fully described on Attachment I as attached; and

WHEREAS, due notice has been given for a public hearing on the

proposed establishment of said District; and

WHEREAS, at such hearing held on the 17th day of February, 1992, all parties interested were heard and given due considerations; and

WHEREAS, this Council finds that this property is properly zoned and otherwise meets the requirements established in P.A. 198 of 1974 and this Council's policies; and

WHEREAS, it is hereby determined that no construction, alterations or installation to the facility has commenced at the time of filing the request to establish this District; and

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Lansing does hereby establish a Lansing Industrial Development District (IPR-1-92) on the above described property with the understanding that the corporate structure of Team Plastics, Inc., and its capitalization are reviewed by this Council. This Council also understands that Team Plastics, Inc. is committed to offering an affirmative action plan to all of its employees.

By Councilmember Belen

Carried unanimously

ATTACHMENT I

5646 Commerce Drive., Suites B & C, Lansing, MI, 48910

That part of Lot 28 of Midway Industrial Center No. a subdivision of a part of Section 3, Town 3 North, Range 2 West, Delhi Township, City of Lansing, Ingham County, Michigan, described as: Beginning at the Southeast corner of said Lot 28; thence South 89°51'30" West, 87.80 feet along the South line of said Lot 28; thence North 40°44'07" East, 88.70, feet to the Westerly line of Commerce Street; thence South 24°03'40" East, 73.37 feet along said Westerly line of Commerce Street to the point of beginning, and also beginning at the Southwest corner of Lot 28, Midway Industrial Center No. 1, a subdivision of a part of Section 3, Town 3 North, Range 2 West, Delhi Township, City of Lansing, Ingham County, Michigan, thence South 00°05'30" East, along the North-South 1/4 line of said Section 3, 600.00 feet; thence North 89°51'17" East, 133.11 feet to the centerline of the Mud Lake Drain; thence Northeasterly along the centerline of the Mud Lake Drain, 675.00 feet, more or less, to a point 4.50 feet South 89°51'30" West of the Southeast corner of said Lot 28; thence South 89°51'30" West, 352.35 feet along the South line of said Lot 28, to the point of beginning;

RESOLUTION #116

BY COMMITTEE ON WAYS AND MEANS 2/24/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$22,400.00 from Gen. Fund-Fund Bal.

A/C 101-000000-390001-00000

22,400.00 to City Clerk-Bgt. Ctrl.

A/C 101-172400-992200-00000

(Shortage due to costs for redistricting of City precincts and due to additional costs for supplies for Presidential Preference Primary. To memo account #101-172400-741000-0.)

\$18,000.00 from Fund Bal.

A/C 101-000000-390001-00000

18,000.00 to Law-Bgt. Ctrl. A/C 101-172900-992200-00000
(Expenditures significantly above projections due to increase in civil litigation and Tax Tribunal caseloads (\$10,000 101-172900-741883-0; \$8,000 101-172900-742000-0))

\$16,000.00 from Fund Bal.

A/C 101-000000-390001-00000

16,000.00 to Lab. Rel.-Bgt. Ctrl.

A/C 101-173000-992200-00000

(To pay fees for FOP Non-Supervisory arbitration, Teamster Unit Determination, and Estimated Costs for 911, Park Security, and Grievance Arbitrations.)

\$77,073.00 from Fund Bal.

A/C 101-000000-390001-00000

66,638.00 to LPD-Bgt. Ctrl. A/C 101-343201-992200-00000
(For addition of three Detention Officer Positions (101-343221-702000-0; \$28,770, purchase and installation of video surveillance monitoring system (101-343221-977000: \$34,304) and maintenance contract for equipment (101-343221-746000-0: \$3,564))

10,435.00 to Gen. Adm.-Bgt. Ctrl.

A/C 101-173901-992200-00000

(Fringe benefits for 3 Detention Officer positions (101-173901-715000-0))

\$342,160.00 from Res./Cont.-Bgt. Ctrl.

A/C 101-173901-992200-13055

342,160.00 to LPD-Bgt. Ctrl. A/C 101-343201-992200-00000
(Partial cost of retroactive payments & terms to year end per Act 312 arbitration for FOP Non-Supervisors (various accounts—see reverse). Remaining funds from residuals & an additional transfer from Fund Balance by year end. (Total cost of \$743,160.)

\$400.00 from Est. Rev.

A/C 101-000000-170001-00000

400.00 to Parks & Rec.-Bgt. Ctrl.

A/C 101-783860-992200-00000

(Donation received for handicapper dance held Jan. 31th. To memo account #101-783810-741880-00000)

\$500.00 from Est. Rev.

A/C 101-000000-170001-00000

500.00 to Parks & Rec. Bgt. Ctrl.

A/C 101-783860-992200-00000

(Funds to be collected beyond lease payments for advertising at City Market. To memo account 101-783812-741501-00000)

\$16,270.00 from Forf. Fund-Est. Rev.

A/C 265-000000-170001-00000

16,270.00 to Forf. Fund-Bgt. Ctrl.

A/C 265-343253-992200-00000

(Balance of matching funds for revised ADAA grant for Federal FY 92. (265-343254-991273-00000))

\$114,000.00 from Est. Rev.

A/C 760-000000-170001-00000

114,000.00 to Dt. Court-Bgt. Ctrl.

A/C 760-132201-992200-00000

(Revenues (& related expense) for Quad Tran collection of outstanding parking violations have been in excess of initial estimates. Revised estimate is based on first 3 months'

data, & should be sufficient for balance of FY 92. (760-132201-743100-0)

\$680.00 from Parks Exp. Trust-Fund Bal.

A/C 713-000000-390001-00000

680.00 to Parks Exp. Tr. Bgt. Ctrl.

A/C 713-833890-992200-00000

(Replacement of rose plants at Frances Park Trust. To memo acct. 713-833890-741050-0)

Balance in the Reserve for Contingency Fund after this transfer is \$0.00.

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Belen

To amend the resolution by adding the qualification that the transfer to the City Clerk's budget be a line item budget item

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #117

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has submitted his recommendation on the fees for the 1992 Adult Baseball and Softball Leagues: and,

WHEREAS, the Committee has determined that the recommended fees are consistent with previously adopted policy: and,

WHEREAS, the Parks and Recreation Director has informed the Committee that he anticipates an increase in participation of 43 teams as compared to the 1991 season, with a resulting increase in general revenues of \$34,448 plus an increase of \$4,050 in revenues reserved for capitol improvements: and,

WHEREAS, the Committee on Ways and Means concurs with the Mayor's recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the attached schedule of fees for Adult Baseball and Softball Leagues, to take effect March 1, 1992.

By Councilmember Benavides

Carried unanimously

ADULT BASEBALL/SOFTBALL FEES-EFFECTIVE MARCH 1, 1992

	Team Fee	Resident Fee	Non-Res. Fee	Capital Improve.
SOFTBALL				
Fast Pitch				
24 games	\$756	\$12	\$36	\$5
18 games	\$567	\$ 9	\$27	\$5
Slow Pitch				

Two Umpires

24 games	\$660	\$12	\$36	\$5
20 games	\$550	\$10	\$30	\$5
18 games	\$495	\$ 9	\$27	\$5
16 games	\$440	\$ 8	\$24	\$5

One Umpire

16 games	\$344	\$ 8	\$24	\$5
12 games	\$258	\$ 6	\$18	\$5

BASEBALL

24 games	\$894	\$18	\$48	—
16 games	\$596	\$12	\$32	—

2/20/92

RESOLUTION #118

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Glen Friedly to the Greater Lansing Convention/Exhibition Authority Board for a term to expire December, 1995, is hereby confirmed.

February 24, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #119

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on February 18, 1992 the life of LEONARD R. McCONNELL SR. passed from the midst of those who knew and loved him; and,

WHEREAS, during his 46 years in our community Leonard's countless hours of community service touched and improved the lives of literally thousands of Greater Lansing residents; and,

WHEREAS, in addition to his outstanding record of community service, Leonard will be remembered for his leadership in the Black community, and for being the first minority appointed to the Michigan Parole Board serving from 1953 to 1979; and,

WHEREAS, Leonard's greatest source of personal pleasure and pride came not from his many career and community achievements, but from his wife Marian and their six children.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes and honors the many contributions of Leonard R. McConnell Sr. toward the betterment of our community; and,

BE IT FURTHER RESOLVED the Council expresses their most heartfelt sympathy to Leonard's family and to his many close and admiring friends.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford a resolution of tribute honoring the contributions of Leonard R. McConnell

HANDLED AS RESOLUTION #119

2/ From Councilmember Ford a request for non-profit status for the Michigan Association of Retired School Personnel Foundation, Inc.

REFERRED TO THE CITY ATTORNEY

3/ From Councilmember Ford a request that time be allotted under the special ceremonies portion of the agenda for a special recognition of William Waldo Wright

THE RULES WERE SUSPENDED AND A COMMEMORATION TO MR. WRIGHT WAS HELD DURING SPECIAL CEREMONIES

4/ From Councilmember Schmidt a letter from Aarne H. Frobom of 2744 Trudy Lane #16 requesting street sign changes in the area of Forest and Collins Roads

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

5/ Letter from James T. Lyons, National Secretary of the Sons of Union Veterans of the Civil War regarding the recent request by the Pastors Conference to remove the Logan St. designation from Dr. Martin Luther King, Jr. Blvd./Logan St.

RECEIVED AND PLACED ON FILE

PUBLIC MAY COMMENT

William Bernstein of 420 Baker St. said that he wanted to warn the public about the Building Department and the City Attorney's Office. He said the Council Chambers were "of the people, for the people, and by the people". He said Council does not have the right to put people out of the Chambers nor restrict their freedom of speech while in the Chambers. As his speaking time expired, Mr. Bernstein requested additional time. His request was denied for lack of support.

Frank Curtis of 1136 W. Allegan objected to the manner in which Mr. Bernstein is treated by Council. He said that government must do something to relieve the tax burden of the people.

Calvin Anderson of 1112 W. Maple St. spoke regarding the cuts to the Police Budget. He lamented the loss of the Police helicopter and warned that neighborhoods need more patrolmen on duty. He said there is no chance to win the war on drugs with a decrease in police officers on the streets. He said this is a strategic element in the war and is necessary to fight crime in the streets. He added that all facets of the "Save the Neighborhood" program will have to be strengthened in order to win. President Crawford told Mr. Anderson that he would see that council staff informs him when the Police Budget is being considered.

Douglas Fairbanks, no address given, said that he would like to see more foot patrols in the downtown area. He said that he would like to see WMMQ either sponsor a different type of concert for the 'Brown Bag Lunch' series, or, move the concerts to the City Market or Potter Park Zoo area. He congratulated the Attorney's Office on their successful prosecution of the owners of the Adult Bookstore on Pennsylvania Ave.

Lloyd Teets of 116 E. Elm St. said that the Building Department broke into his apartment while he was out shopping today. They broke the front window out in order to reinspect plumbing in the basement.

Andrew Anthos of 216 W. Holmes said that he has been contacted by a Michigan Company who supports his idea to light the dome of the Capital Building.

Fred McLaughlin of 222 W. Kalamazoo St. said that he is an Architect who deals with the Building Safety Division a great deal. He complimented them on the good job they do and said they are always very helpful to him.

James DeRocco of 3815 Donald St. read from the Bible, Romans 13:1 through 13:3, which addresses the power of rulers. He said things got out of hand tonight. He does not think Council always listens to people. He stated that he would donate his speaking time to people who require extra time.

REMARKS BY THE MAYOR

Mayor McKane expressed condolences to the McConnell family and the family of William Thacker. He attended both funerals on the same day. Mr. Thacker was a Scout Leader and Rotarian. He said the community lost two great leaders on the same day.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt said she would like to dedicate a portion of the meeting to the people who were honored at the Bea Christy Awards. These neighborhood leaders were; Ralph Casler, Phil Albers, Emma Berry, Barbara Dean, Sue Eby, Ed Kerr, Dorothy Matthews, John Minnick, John Rugs, Penny Strang, Dorothy Wade. She said this award dinner has turned into a very nice event to honor people who have worked hard to improve their neighborhoods.

Councilmember Benavides said that he had the opportunity to work with Mr. McConnell on the Parole Board, he was a generous man and a dedicated servant of the people. He expressed his hope that the family will accept God's will and find comfort in his resurrection. He asked that Council send a letter to the Building Department in appreciation of their hard work and a job well done. He said he was glad to be back. Last week he acted as the Mayor's representative in Guadalajara, Mexico. He said that he brought back many mementos of his trip including a video that he would like to air during special ceremonies next week. He reminded everyone that Guadalajara is one of Lansing's three Sister Cities the other two being Otsu, Japan and St. Petersburg, Russia. He relayed a message from Guadalajara that they are looking forward to visiting with the Mayor and implementing the reciprocal Sister City agreement with Lansing.

Councilmember Ford approved of the addition of three detention officers to the Police Department, but he would also like to see more money going to the Police Budget for additional Community Officers. He said that he knew there was a forthcoming resolution for a tax abatement to Louis Padnos Iron and Steel Co. He has had calls regarding this development. Complaints have come in about mud and noise problems near them. He will address these concerns in a letter to the Economic Development Committee. He congratulated the winners of the Bea Christy Awards and said that President Crawford gave a great speech at the awards dinner. He

announced that in recognition of Black History Month, this week he would like to honor Dr. William H. Harrison, the first black doctor in the City. He was a member of NAACP, American Medical Association, recipient of the Edward W. Sparrow Distinguished Service Award. He received his degree from Howard University in Washington D.C., began his practice in Lansing in 1946 and still practices today. He has three children and a number of grandchildren.

Councilmember Canady said that he has received a number of letters on Dr. Martin Luther King, Jr. Blvd./Logan St. one of them is from a resident who did not identify him(her)self, nor give a return address. He said he would like to respond to the letter but does not have an address with which to do so. If the person who wrote will call and leave an address he will write back to them. He read a portion of the rules governing Council Meetings. He said some people will not come to Council meetings because of the actions of a few. In order to run orderly meetings they need to regulate public comments. He said this time is to address grievances, not a personal television show.

Councilmember Brockwell said that the Brotherhood Against Drugs will present a concert on March 7, 1992 at 8:00 at the Horizon Center. Tickets are \$3.00 each. He thanked Walt Ransom for his quick response regarding street signs that were down.

ADJOURNED 8:40

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

69

Proceedings, March 2, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
March 2, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Beal

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1/ From Councilmember Ford a request that Item XII C-3, Resolution of tribute to Ralph Casler, be moved up for presentation during the Special Ceremonies portion of the agenda

2/ From Councilmember Brockwell a letter from Willie D. Williams suggesting solutions for various problems facing the City

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. Consideration of an amendment to the Planning and Zoning Code. Part 12, Sections 1274.04 and 1276.04 concerning the regulation of residential care uses

Lloyd Teets of 116 E. Elm St. stated his opposition to this ordinance amendment because these facilities should not be this close to each other, particularly in industrially zoned areas because it will create a dumping zone for residential care facilities. He stated that this amendment had died in committee several weeks ago.

Councilmember Canady denied that this would create a dumping zone.

Councilmember Ford asked Councilmember Canady to look into 1274.04 h(3) and h(4) before this amendment is considered for passage.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. In consideration of an amendment to Part 10 of the Code of Ordinances of the City of Lansing relative to Special Assessments

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. To consider that property at 1129 W. Ionia St. be made safe or

demolished

Lloyd Teets of 116 E. Elm asked which criteria established this house as an unsafe or dangerous building. Council President Crawford informed Mr. Teets that any questions about this property could be addressed in the Committee meeting, this is a time for the public to state their opinion on the demolition of the property.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. To consider that property at 744 Verlinden Ave. be made safe or demolished

Douglas Atkinson of 740 N. Verlinden spoke in support of the demolition of this house. It has been vacant for long periods of time over the last several years, the foundation is in bad shape, and the owners have not done any work on the house.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. To consider that property at 910 Johnson Ave. be made safe or demolished

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. To consider that property at 216 S. M.L.K. Blvd./Logan St. be made safe or demolished

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

G. To consider that property at 3003 Turner St. be made safe or demolished

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

PUBLIC COMMENT

Gary Andrews of 560 Brookland Blvd. asked for a copy of the ordinance for introduction, amending Council rules. He said he does not agree with making sweeping changes in the way the public addresses Council.

Frank Curtis of 1136 W. Allegan spoke in opposition to the proposed changes in Council rules saying the rules were changed two years ago.

Lloyd Teets of 116 E. Elm St. called the proposed changes in Council rules censorship and said he would continue to speak out against Councilmembers, if they do something wrong, irregardless of their ability to have him put in jail.

Kris Nicholoff of 2010 W. Oakland said he arrived too late for the public hearing on 744 Verlinden and requested permission to state his support of an order to make safe or demolish. He spoke in favor of demolition of the house.

Carl Eck of 928 N. Sycamore spoke in support of Item XII D-1,

resolution by the Committee on Ways and Means, approving the establishment of adult crossing guards for Manor Drive at Northrup St. and Kilborn St. at Pine St.

Harold Leeman of 529 N. Francis asked to be informed which portions of the ordinance for introduction are old rules and which are new rules. He suggested that the properties on Ottawa which are being considered for acquisition by the City be reevaluated to determine which structure to restore and which to demolish. He believes the two structures should be reversed, the former Quaker property restored and the other property demolished.

Cindy Dravenstatt of 921 W. Northrup spoke in support of XII D-1, resolution to establish additional crossing guards. She said that Northrup St. is a very wide street with a high volume of traffic, particularly in the morning and during high traffic hours. The school has safety patrols but they are not adequate. For the protection of the children they need adult crossing guards.

SPECIAL CEREMONIES

Councilmember Brockwell presented a resolution of tribute to Ralph Casler, winner of the Bea Christy Award, and introduced approximately 30 to 40 of his neighborhood supporters. Mr. Casler thanked everyone for turning out to honor him.

Chris Hansen, on behalf of the Polish National Alliance—Lodge #1360 presented 'Paczki' (polish donuts) to City Council and introduced Patricia Layman, Joan Silbonick, Marilyn Garner, Christopher Hansen and Joe Garner who helped prepare the donuts the traditional "kick-off" of 'Fat Tuesday'.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Petition for re-zoning, Z-2-92, Lots 1, 2, 3, 4, 14, 15, and 16 of Glenburne Subdivision by John Boles of 5923 Bradford from Residential to "D-1" Professional Office

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Letter from Betty Tsang of 1775 Mirabeau, Okemos regarding 'speed traps' operated by Lansing Police Department

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SAFETY

C. Letter from Ann Flescher of 1321 Glenrose regarding memorials to black heroes.

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane reviewed his letters on tonight's agenda; #1 recommended policy for a Drug Free Workplace Environment. This policy is required by Federal Law. #2 actual cost special assessments. #3-4 SLU requests by Deja Veau including staff and board recommendations. #5-10 traffic control requests. #11 rainy day fund. #12 guidelines of the Board of Review

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #120

February 27, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

BUILDING WRECKER: English Enterprises
PUBLIC DRIVER: Ronald Eugene Darnell
SIGN ERECTOR: City Sign Erectors of Western MI Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 24, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting the Board Evaluation for the Lansing Housing Commission

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. Letter from Councilmember Tony Benavides regarding his trip to Lansing's Sister City, Guadalajara, Mexico

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. "City of Lansing Policy and Procedures for Providing a Drug Free Workplace Environment"

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Actual Cost for Special Assessment Roll 320

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. SLU-20-91, Property East and Adjacent to 1000 W. Jolly Road

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4. SLU-19-91, Property North and Adjacent to 1000 W. Jolly Road

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5. Traffic Control: Anson St. and Sumpter St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. Traffic Control: Clifton Ave. and Lincoln Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. Traffic Control: Doris St. and Hilliard Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. Traffic Control: Johnson Ave. and Porter St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. Traffic Control: Parkway Dr. and Vernon Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10. Traffic Study: Cherry St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

11. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

12. 1992 Board of Review Guidelines

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COMMITTEE REPORTS

ITEMS XI A 1-2 WERE PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER SCHMIDT

RESOLUTION #121

March 2, 1992

AMENDMENTS

TO THE PLANNING AND ZONING CODE
BEING CHAPTER 12 OF THE CODIFIED ORDINANCES OF
LANSING, MICHIGAN

By the Committee on Physical Development

TO WHOM WAS REFERRED the matter of amendments to Chapter 12 of the Codified Ordinances of the City of Lansing, commonly known as the Planning and Zoning Code.

REPORTS AS FOLLOWS:

That the Planning and Zoning Code amendments to Chapter 1274.04 and 1276.04 be approved.

SIGNED: Mark H. Canady
Lucile Belen
James Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

That the report of the Committee be approved.

ADOPTED by the following vote:

YEAS: 7

NAYS: 0

ABSENT: 1

RESOLUTIONS

RESOLUTION #122

BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, Jet Dye-Barnes Group, Inc. has requested that the

Lansing City Council establish a Lansing Industrial Development District (IPR-2-92) pursuant to Act 198 of 1974, on property at 5300 Aurelius Road, Lansing, MI more fully described on Attachment I as attached; and

WHEREAS, due notice has been given for a public hearing on the proposed establishment of said District; and

WHEREAS, at such hearing held on the 24th day of February, 1992, all parties interested were heard and given due considerations; and

WHEREAS, this Council finds that this property is properly zoned and otherwise meets the requirements established in P.A. 198 of 1974 and this Council's policies; and

WHEREAS, it is hereby determined that no construction, alterations or installation to the facility has commenced at the time of filing the request to establish this District; and

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Lansing does hereby establish a Lansing Industrial Development District (IPR-2-92) on the above described property.

By Councilmember Belen

Carried unanimously

ATTACHMENT I

Legal Description:

That part of the NE ¼ of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, described as: Beginning at a point on the East line of Section 3, T3N, R2W, N00° 21'30"E, 1036.67 feet from the East ¼ corner of Section 3, T3N, R2W, thence N89°17'05"W, 963.80 feet to the Easterly right of way line, of the Michigan Central Railroad; thence N24°18'47"W 240.59 feet along said right of way line; thence S89°17'05"E, 1064.22 feet, to the East line of Section 3, T3N, R2W, thence S00°21'30"W, 218.00 feet along the East line of Section 3 to the point of beginning. Contains 5.074 acres. Subject to right of way for Aurelius Road and any other easements or restrictions of use or record.

RESOLUTION #123

February 20, 1992

COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-1-92

1315 South Pennsylvania Avenue

Potter Park Zoo Expansion

Red Cedar River Flood Plain

WHEREAS the Lansing Parks and Recreation Department has requested approval of a special land use to further construct structures and implement expansion of the Potter Park Zoo facility, which is located in the 100 year flood plain of the Red Cedar River. This development plan is accompanied by a site plan which has been submitted and is on file in the Planning Division as well as the Lansing Parks and Recreation Department. The Plan reflects those buildings that will be constructed within the 100 year flood plain. This Plan is part of the 1984 Master Plan for the Potter Park Zoo development.

WHEREAS the Planning Board, at their meeting of February 18, 1992, reviewed this request and recommended approval subject to

conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves a special land use for the further development of the Potter Park Zoo facility as reflected in the site plan on file in the Planning Division and the Lansing Parks and Recreation Department subject to the following conditions:

1. That all necessary approvals be obtained from the responding agencies which includes the Michigan Department of Natural Resources.

2. That all new development which includes structures that have equipment in them that could be destroyed by flood waters will be developed at or above the 100 year flood plain, or the equipment will be elevated at or above the 100 year flood plain. In addition it was also understood that the buildings constructed to cover zoo animals may be below the flood plain elevation, however, there will be an evacuation plan on file for live exhibits that may be impacted by flood waters.

By Councilmember Canady

Carried unanimously

RESOLUTION #124

BY COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, it is the policy of the City Council of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of its residential neighborhoods; and

WHEREAS, the City Administration has been working with the residents of the West Side Neighborhood to develop a strategy to upgrade and improve that neighborhood; and

WHEREAS, the City Administration has reported that the Master Plan for the neighborhood calls for upgrading and improvement and can best be accomplished by means of housing rehabilitation activities, with some limited acquisition and clearance to reduce density and improve open space and off-street parking conditions; and

WHEREAS, the City Administration has endorsed this strategy and has recommended its implementation as part of the City's Community Development Block Grant Program; and

WHEREAS, the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisition and disposition of real property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the City Administration be and is hereby authorized to acquire 1230 West Ottawa, more particularly described as:

E 2 Rods of S 2/3 Lot 14 & W 1 Rods of S 2/3 Lot 15 Block 2 Frenchs Sub.

BE IT FURTHER RESOLVED that, subsequent to acquisition, the City Administration is authorized to sell the property for a nominal charge to a nonprofit housing corporation for the purpose of

rehabilitating the housing units; and

BE IT FURTHER RESOLVED that the City Administration be and is hereby authorized to acquire 1226 West Ottawa, more particularly described as:

West 3 Rods of East 4 Rods Lot 15 Block 2 Frenchs Sub.

BE IT FURTHER RESOLVED that, subsequent to acquisition, the City Administration is authorized to demolish the structure, develop parking for 1230 West Ottawa to the west and sell the improved property in part to a nonprofit housing corporation and the remainder to adjacent property owners consistent with Community Development Block Grant land disposition policy; and

BE IT FINALLY RESOLVED that the costs associated with these acquisition, clearance, and development activities shall be charged to the City's Community Development Block Grant Program.

By Councilmember Canady

Carried unanimously

RESOLUTION #125

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Wilbur F. Sherman to the Historic District Commission for a term to expire June, 1994, is hereby confirmed.

March 2, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #126

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the week of March 1-8, 1992, has been designated as "Volunteers of America (VOA) Week"; and

WHEREAS, VOA is one of America's largest multi-purpose social service agencies which, in its 96th year of existence, now serves more than a million people in over 300 communities; and

WHEREAS, the Lansing Branch of the VOA was started in 1911, and its present services include a Sheltered Remunerative Employment for alcoholics, food and special Christmas dinners for senior citizens, handicappers and persons in need of disaster relief, a children's clothing program, free home pickup of used articles, four thrift stores serving low income families, and an industrial salvage program, all of which are free of charge and are possible due to generous donations of funds and time by Lansing people;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby proclaims March 1-8, 1992, as "Volunteers of America in Lansing Week"; and

BE IT FURTHER RESOLVED the City Council lauds the VOA for their many outstanding efforts on behalf of the residents still in need in our community.

By Councilmember Ford

Carried unanimously

RESOLUTION #127

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Association of Retired School Personnel Foundation, Inc., has requested recognition by this Council as a non-profit organization operating in the community for the purpose of obtaining a gaming license from the Bureau of State Lottery's Charitable Gaming Division; and

WHEREAS, the City Attorney has reviewed this organization's bylaws and determined that it qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Michigan Association of Retired School Personnel Foundation, Inc., as a non-profit organization operating in Lansing.

By Councilmember Ford

Carried unanimously

RESOLUTION #128

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on February 21, 1992, the Lansing Neighborhood Council honored Ralph Casler with the fifth annual Bea Christy Award for service to his neighborhood; and

WHEREAS, Ralph Casler, who has lived in Lansing all his life and in the Sparrow Estates neighborhood for the last 30 of his 71 years, is an Oldsmobile retiree who uses his vast energy and time to improve the quality of life for his family and his neighbors through programs like the annual Paint Blitz and Neighborhood Watch; and

WHEREAS, Ralph's generosity to his neighbors is expressed in a variety of ways, such as giving rides to doctor's appointments and snowblowing sidewalks; and

WHEREAS, Ralph Casler is an example of the kind of citizen and neighbor who makes Lansing a great place to live and raise a family;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 2nd day of March, 1992, hereby recognizes RALPH CASLER, on the occasion of his earning the 1992 Bea Christy Award, for his years of valuable and selfless service to the people of his neighborhood and to this entire community.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #129

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee on Ways and Means has reviewed the Report of Committee submitted by the Public Safety Committee

recommending that two adult crossing guard locations be established, one at the intersection of Manor Drive and Northrup Street, and one at the intersection of Kilborn Street and Pine Street; and

WHEREAS, the Committee has determined that the cost of providing the two additional guards for the duration of the 1991-92 school year is \$4,200.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the establishment of two additional adult crossing guards at the identified locations for the duration of the 1991-92 school year; and

BE IT FURTHER RESOLVED the Administration is requested to identify residual funds to cover the cost of the additional crossing guards; and

BE IT FINALLY RESOLVED the Administration is requested to report back to the Committee on Ways and Means specific information regarding both the implementation date and identification of funds.

March 2, 1992.

By Councilmember Benavides

Carried unanimously

RESOLUTION #130

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Natural Resources (DNR), Forestry Division and the Small Business Administration (SBA), have a grant program to promote tree planting on government land by small businesses; and

WHEREAS, the DNR and SBA have awarded the City of Lansing a grant to have small businesses plant trees on City of Lansing owned land; and

WHEREAS, the total grant being provided toward the project is \$33,587.79; and

WHEREAS, the \$33,587.79 City match will come from in-kind services; and

WHEREAS, the Mayor recommends acceptance of this grant;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorizes receipt and implementation of the grant in compliance with all requisites.

By Councilmember Benavides

Carried unanimously

RESOLUTION #131

BY COMMITTEE ON WAYS AND MEANS

3/2/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$146,862.24 from Est. Rev. A/C 101-000000-170001-00000
146,862.24 to Cap. Imp. Prog.-Bgt. Ctrl.

A/C 101-933901-992200-13001
(Proceeds from sale of Parcel C, in accordance with City Council policy regarding disposition of Parks property. To memo account 101-933890-970000-13021.)

I hereby certify that funds are available.

Jan Lazar, Director of Budget & Management

APPROVED:

By Councilmember Benavides

Carried unanimously

RESOLUTION #132

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, March 9, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part 2, Chapter 210 of the Codified Ordinances of the City of Lansing, Michigan regarding Council Rules

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR INTRODUCTION

ITEM XIII A WAS HANDLED AS RESOLUTION #132, NO ORDINANCE WAS INTRODUCED

ORDINANCES FOR PASSAGE

By Councilmember Canady

That we proceed to the passage of Ordinances

By Councilmember Canady

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to amend Part Twelve, Sections 1274.04 and 1276.04 of the Code of Ordinances for the purpose of the Regulation of Residential Care Facilities be placed on order of immediate passage.

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to amend Part Twelve, Sections 1274.04 and 1276.04 of the Code of Ordinances for the purpose of the Regulation of Residential Care Facilities be now passed.

YEAS: 7

NAYS: 0

ABSENT: 1

ORDINANCE #849

1274.04 SPECIAL LAND USES.

(a) Same

(b) Same

(c) Same

(1) Same

(2) Same

(3) Same

(d) Same

(e) Same

(f) Same

(g) Same

(h) A RESIDENTIAL CARE FACILITY WHICH PROVIDES CARE FOR MORE THAN SIX PERSONS MAY BE PERMITTED IN THE LIGHT INDUSTRIAL DISTRICT, IF IT MEETS ALL THE FOLLOWING CONDITIONS:

(1) THE RESIDENTIAL CARE FACILITY PROVIDES A MINIMUM LOT AREA OF NOT LESS THAN 1,000 SQUARE FEET PER RESIDENT.

(2) TWENTY-FOUR HOUR SUPERVISION IS MAINTAINED BY A SPONSORING AGENCY.

(3) THE PROPOSED RESIDENTIAL CARE FACILITY IS LOCATED MORE THAN 1,500 FEET FROM AN EXISTING RESIDENTIAL CARE FACILITY WHICH PROVIDES CARE FOR MORE THAN SIX PERSONS.

(4) IF ANY OF THE FOLLOWING CONDITIONS EXIST, THE PROPOSED RESIDENTIAL CARE FACILITY MAY BE LOCATED NOT LESS THAN 500 FEET FROM AN EXISTING RESIDENTIAL CARE FACILITY WHICH PROVIDES CARE FOR MORE THAN SIX PERSONS.

(A) THE RESIDENTIAL CARE FACILITIES ARE SEPARATED BY PRINCIPAL ARTERIAL AS DEFINED IN THE MASTER PLAN

(B) THE RESIDENTIAL CARE FACILITIES ARE SEPARATED BY THE GRAND RIVER, THE RED CEDAR RIVER, OR THE SYCAMORE CREEK.

(C) THE RESIDENTIAL CARE FACILITIES ARE SEPARATED BY MAIN RAILROAD TRACKAGE RIGHT-OF-WAY.

1276.04 SPECIAL LAND USES.

(a) Same

(b) Same

(c) Same

(1) Same

(2) Same

(3) Same

(d) Same

(1) Same

(2) Same

(e) Same

(f) Same

(1) Same

(2) Same

(3) Same

(4) Same

(5) Same

(6) Same

(7) Same

(8) Same

(9) Same

(10) Same

(11) Same

(g) Same

(1) Same

- (2) Same
- (3) Same
- (4) Same

(h) Same

(i) Same

(j) Same

(k) A RESIDENTIAL CARE FACILITY WHICH PROVIDES CARE FOR MORE THAN SIX PERSONS MAY BE PERMITTED IN THE HEAVY INDUSTRIAL DISTRICT, IF IT MEETS ALL THE FOLLOWING CONDITIONS:

(1) THE RESIDENTIAL CARE FACILITY PROVIDES A MINIMUM LOT AREA OF NOT LESS THAN 1,000 SQUARE FEET PER RESIDENT.

(2) TWENTY-FOUR HOUR SUPERVISION IS MAINTAINED BY A SPONSORING AGENCY.

(3) THE PROPOSED RESIDENTIAL CARE FACILITY IS LOCATED MORE THAN 1,500 FEET FROM AN EXISTING RESIDENTIAL CARE FACILITY WHICH PROVIDES CARE FOR MORE THAN SIX PERSONS. (4) IF ANY OF THE FOLLOWING CONDITIONS EXIST, THE PROPOSED RESIDENTIAL CARE FACILITY MAY BE LOCATED NOT LESS THAN 500 FEET FROM AN EXISTING RESIDENTIAL CARE FACILITY WHICH PROVIDES CARE FOR MORE THAN SIX PERSONS.

(A) THE RESIDENTIAL CARE FACILITIES ARE SEPARATED BY A PRINCIPAL ARTERIAL AS DEFINED IN THE MASTER PLAN.

(B) THE RESIDENTIAL CARE FACILITIES ARE SEPARATED BY THE GRAND RIVER, THE RED CEDAR RIVER, OR THE SYCAMORE CREEK.

(C) THE RESIDENTIAL CARE FACILITIES ARE SEPARATED BY MAIN RAILROAD TRACKAGE RIGHT-OF-WAY.

Given immediate effect by motion of Councilmember Benavides

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford a request that Item XII C-3, Resolution of tribute to Ralph Casler, be moved up for presentation during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND THE RESOLUTION OF TRIBUTE TO MR. CASLER WAS PRESENTED DURING SPECIAL CEREMONIES

2/ From Councilmember Brockwell a letter from Willie D. Williams suggesting solutions for various problems facing the City

REFERRED TO COUNCILMEMBERS

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Councilmember Beal from tonight's proceedings

Carried unanimously

PUBLIC MAY COMMENT

Kris Nicholoff of 2010 W. Oakland spoke on behalf of the Lansing Youth and Recreation Fund. They have been granted tax exempt status by the Federal Government and non-profit status by the State of Michigan. They will have a concert/fund raiser on March 22, 1992 at the Civic Center in cooperation with the "Youth Dental

Fund". He thanked WLNS TV for providing their Public Service Announcements. He thanked the sponsors of the fund for their support.

William Bernstein of 420 Baker St. spoke regarding his "unfair" conviction for disturbing a public assembly.

Frank Curtis of 1136 W. Allegan spoke on the constitutional right to freedom of speech and the recent decision by the Supreme Court refusing to restrict that freedom.

Dr. Earl Tate Pauly(?) of Lansing addressed the Mayor's Policy providing for a drug free workplace environment. He demanded to know what the City, State, and Federal Governments are doing to combat the drug problem. He said that the key is to prevent drugs from being imported into the U.S. and provide adequate protection to the people who will be victimized by drug users/dealers. He suggested that the Superintendent of Lansing Schools contact pharmacists and physicians to give lectures on the hazards of drug use/abuse to classrooms.

Carl Eck of 928 N. Sycamore thanked Council for granting their request for a crossing guard.

Lloyd Teets of 116 E. Elm read an article written by Charles Reese regarding the United States Government stealing it's peoples freedom. It charges the Government with being involved in everything we do every day of our lives.

Douglas David II, of 424 N. Hayford asked why he is unable to get a Court Appointed Attorney. He brought his problem to Council a few weeks ago and thought the matter had been referred to the City Attorney's Office. He has heard nothing since then. He asked if Council could eliminate the Public Comment portion of the Agenda. Councilmember Ford told Mr. David that his request will be taken up by the Committee on General Services this Wednesday at 3:30 p.m. Council President Crawford told Mr. David that they are not obligated to offer a public comment portion of the agenda.

REMARKS BY THE MAYOR

Mayor McKane announced that the Public Service Department began collecting bulk items again this week. Yard waste collection begins March 30th. Street sweeping starts today and will take a couple of weeks. He announced a meeting of North Lansing Community Association, Tuesday at the Comfort Station at 313 Grand River.

REMARKS BY COUNCILMEMBERS

Councilmember Ford announced that the first meeting of the Citizens Agenda for Safe Streets will be on March 18, 1992 in Council Chambers.

Councilmember Schmidt announced that Vince Novello will hold a spaghetti dinner at St. Martha's Church Hall in Okemos. Interested parties can call 321-0356. She displayed the new Community Services Guide and recommended it to anyone new to the area, or anyone looking for any kind of service information.

Councilmember Benavides relayed a message to Mr. Dewitt that he would call him directly following tonight's meeting.

Councilmember Brockwell said that Holden House held an open

house this last weekend to raise money for carpeting and other improvements. He said they have been successful in their attempt to gain acceptance from other residents in the neighborhood. He reminded everyone that the Brotherhood Against Drugs (BAD) will hold a dance at the Horizon Center on March 7, 1992 from 8:00 p.m. to 1:00 a.m. admission is \$3.00 per ticket. There will be a live blues band and refreshments.

Councilmember Canady announced that the Big Brother/Big Sister organization will hold their annual banquet on March 6, 1992 at 7:00 p.m. at the Kellogg Center.

ADJOURNED 8:45

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

77

Proceedings, March 9, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
March 9, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Schmidt

To accept the printed Council Proceedings of February 17, and February 24, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under the suspension of the rules:

1/ From Councilmember Schmidt a letter from R.J. Mote of 837 Fred St. regarding violation of the noise ordinance by large equipment being operated at the property next door to him

2/ From Councilmember Canady a letter from The Names Project requesting a contribution by the City of Lansing of the use of the Lansing Center for June 17-June 21, 1992

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of a request for a waiver of the noise ordinance to WMMQ Radio Station to allow them to hold outdoor concerts every Friday between 11:30 a.m. and 1:30 p.m. in the 100 N. Block of the Mall beginning May 22, and ending September 4, 1992

John David Buchanon of 193 W. Holmes, Program Director for WMMQ asked Council to grant the waiver and thanked them for their consideration in years past. He said this is their 7th year of holding the Brown Bag Lunch Concert Series. Last year drew large crowds to the downtown area every Friday. He said that this years series has already generated a lot of interest.

B. In consideration of a request for Industrial Facilities Exemption Certificate, IPR-8-91, for Louis Padnos Iron & Metal Company-Summit Division of 1900 W. Willow

Al LeBlanc of 2021 Cumberland submitted a letter from River Forest Neighborhood Association. He is the President of the

Association and stated their concern over the noise problems and the impact on the home owner in the area. He said the Association hopes that Padnos will continue it's consideration of the neighborhood environment.

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

C. To consider proposed changes in the Rules of Council

The following people spoke in opposition to changes in Council Rules:

-Gary Andrews of 560 Brookland Blvd.
-Frank Curtis of 1136 W. Allegan
-Lloyd Teets of 116 E. Elm St.
-Mark Hawkins of 5523 Joshua
-Dale Dobberstein of 916 W. Cavanaugh
-Andrew Anthos of 216 W. Holmes

and the following people spoke in support of the changes in Council rules:

-William Hubbell of 1128½ Cooper Ave.
-Mr. Fairbanks, no address given

Harold Leeman of 529 N. Francis asked if there were a gentleman's agreement concerning late items for meetings; that they would be available for review by the public at least ½ hour prior to each meeting. Council President Crawford confirmed that, whenever possible, late items would be available for review by the public. Mr. Leeman asked that this discussion be reflected in the official minutes of tonight's meeting. He asked Council to pull the resolution changing Council rules for 1 week to allow time to educate people about them.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. said that rule #19 of the proposed Council rules was a tool to intimidate people who come to Council meetings and will not have any impact on him. He said he will pay any price he has to in order to guarantee constitutional rights.

Frank Curtis of 1136 W. Allegan asked who our law enforcers are taking their orders from.

Harold Leeman of 529 N. Francis asked for a clarification of the two resolutions on tonight's agenda for transfer of funds. He spoke regarding the qualifications of the Police Officers that are assigned to act as Sergeant At Arms for Council meetings.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Request from Gary Andrews of 560 Brookland Blvd. that he be allowed extra speaking time during the public hearing on revision of Council Rules

RECEIVED AND PLACED ON FILE
(CURRENT RULES DO NOT PUT A TIME LIMIT ON SPEAKERS FOR PUBLIC HEARINGS)

B. Z-3-92, Request for rezoning of property at 620 S. Capitol Ave. from "J" Parking and "D-1" Professional Office to "D-1" Professional Office, from Michigan Manufacturers Association to allow them to construct a new building with association parking

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Letter from the Society of Professional Journalists of 305 Communication Arts Building, E. Lansing requesting the Council's public recognition of March 16, 1992 as Freedom of Information Day in Lansing

REFERRED TO THE COMMITTEE OF THE WHOLE

D. Claim appeal of Conrad Larson of 8990 E. Colonville Rd., Clare, Michigan

REFERRED TO THE CITY ATTORNEY
AND THE COMMITTEE ON GENERAL SERVICES

E. Resolution from Ingham County Board of Commissioners appointing Richard Climer to service on the Community Corrections Advisory Board and requesting Council confirmation of the appointment

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

F. Letter from National League of Cities Capital Cities Roundtable Committee giving notice of their next meeting date and submitting a draft of their proposed bylaws

RECEIVED AND PLACED ON FILE

G. Notice from the Department of Natural Resources of a permit for Sewerage System Construction for Sewer Extension to Flap Jack Restaurant issued to the City of Lansing

REFERRED TO THE MAYOR

H. Letter from Michigan Municipal League announcing the Region II Annual Regional Meeting to be held on Wednesday April 22, 1992 in Blissfield

RECEIVED AND PLACED ON FILE

I. Conference information and application from Western Michigan University for "Downtowns in the 1990's: Focus on Service" to be held at the Radisson Plaza Hotel in Kalamazoo Michigan April 10-11, 1992

REFERRED TO THE MAYOR

J. Complaint against the Building Department from Lloyd Teets of 116 E. Elm in relation to a reinspection of his residence on February 17, 1992

REFERRED TO THE MAYOR

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mrs. Flaherty commented on Mayor's letter #1, proclamation honoring Jacqueline Taylor. She said this proclamation was presented to Ms. Taylor last Thursday evening at the Human Relations Dinner. On behalf of Mayor McKane Mrs. Flaherty thanked her for her efforts on behalf of the citizens of the City and wished her continued success. Mrs. Flaherty directed Councilmembers attention to letter #5 regarding the investigation by the Michigan Department of Natural Resources of property at 5410 S. Waverly Rd. owned by Gerald Huckaba.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #132

March 5, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached application for license has been routinely processed and is recommended for approval. It is ready for final action by City Council. It is as follows:

SIGN ERECTOR: National Advertising Company

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Benavides

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 2, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk submitting Board Evaluations for the following Boards:

-Parks Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

-Board of Public Service

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. Letter from the Board of Water and Light requesting concurrence on the sale of property in the Northwest corner of Erickson Park to MDOT

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

E. Letters from the Mayor re:

1. Proclamation Honoring Dr. Jacqueline Taylor Lansing Community College

RECEIVED AND PLACED ON FILE

2. Saavas Nicolaou: 1105 S. Washington Ave. (Court Case update)

RECEIVED AND PLACED ON FILE

3. City v Ed Rose Realty, et al

RECEIVED AND PLACED ON FILE

4. Prenatal Care Services

RECEIVED AND PLACED ON FILE

5. Gerald Huckaba, 5410 S. Waverly Road (DNR Communication)

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. RESOLUTION #133

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: March 5, 1992

SUBJ: Request for a Public Hearing on Play Equipment Grant Application

The attached request for a public hearing scheduled on March 23, 1992 is being submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides

To accept the recommendations of the Mayor and set a public hearing for March 23, 1992, and to request the City Clerk to publish notice of the public hearing

Carried unanimously

COMMITTEE REPORTS

RESOLUTION #134

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the complaint of Doug David that he had been denied a court-appointed attorney to help him defend against prosecution on a charge of operating a junk yard at his residence,

REPORTS AS FOLLOWS: After hearing more specifics of Mr. David's complaint, the Committee advised him that the City had no jurisdiction regarding the appointment of legal counsel for indigent people. Committee members advised Mr. David to pursue this matter further with the 54-A District Court. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #135

The Public Safety Committee

To whom was referred the Mayor's report on requests from

representatives of Davenport College to make traffic control changes in the vicinity of the school reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the requests to change traffic control devices; to install speed humps; and, to make signing and pavement marking changes be denied. The committee has reviewed this report from the administration and concurs that the requests to install a traffic signal at the Cherry Street, Kalamazoo Street and River Street intersection; to install multi-way stop signs at the Cherry Street and Lenawee Street intersection; to install speed humps on Cherry Street between Kalamazoo Street and Lenawee Street; and, to make signing and pavement marking changes to the mid-block crosswalk on Cherry Street between Kalamazoo Street and Lenawee Street be denied.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTION #136

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to install a stop sign on Johnson Avenue at the Intersection of Porter Street reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to install a stop sign on Johnson Avenue at the intersection of Porter Street be denied. The committee has reviewed the report from the administration and concurs that the request to install a stop sign on Johnson Avenue at the intersection of Porter Street be denied.

The Transportation Division, Traffic Board and Mayor do recommend the installation of a large arrow sign on the north side of the intersection of Johnson Avenue and Porter Street.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTIONS

RESOLUTION #137

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Barbara Williams filed a claim against the City in the amount of \$100.00 as reimbursement for damages to her electrical service due to an August 17, 1991, windstorm that caused a limb from a City tree to fall on power lines at her residence located at 224 West North Street; and

WHEREAS, the City Attorney's staff recommendation was to deny

the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council which referred the appeal to the General Services Committee for investigation; and

WHEREAS, the Committee determined that the winds on the date of the incident were severe enough to measure 60 mph, the doctrine of governmental immunity relieves the City from liability for damages, and the Committee concurs with the Claims Review Committee's decision to deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Barbara Williams; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #138

March 9, 1992

SLU-20-91

Property East of and Adjacent to 1000 West Jolly Road

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 30, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing a proposed Special Land Use SLU-20-91 request by Laura Simons, on behalf of Cin-Lan, Incorporated, for the purpose of expanding off-street parking for Deja Vu, located at 1000 West Jolly Road.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: none

ABSENT: none

RESOLUTION #139

COMMITTEE ON PHYSICAL DEVELOPMENT March 9, 1992

SLU-19-91

North and adjacent to 1000 West Jolly Road

WHEREAS Laura Simons, in behalf of Cin-Lan, Incorporated, has made a written request to withdraw SLU-19-91, including property located north and adjacent to 1000 West Jolly Road. The special land use request was made with the thought of expanding off street parking in conjunction with Deja Vu located at 1000 West Jolly Road; and

WHEREAS the Planning Board, at their meeting of February 18, 1992, reviewed the matter and unanimously recommended that the request to withdraw this application be accepted; and

WHEREAS the Physical Development Committee of City Council,

to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing accepts the withdrawal of special land use request SLU-19-91 for property located north and adjacent to 1000 West Jolly Road.

By Councilmember Canady

Carried unanimously

RESOLUTION #140

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll 320, Public Service # 64119, known as the 1990 Curb, Gutter and Storm Sewer Construction in front of, or adjacent to, the following properties:

PROPERTY BENEFITTED: All lands fronting on RICHARD ROAD from Sawyer to Edgewood, FIELDING DRIVE From Wainwright to Ingham, BALLARD STREET from Risdale to Fielding, WHYTE STREET from Illinois to Indiana, SOUTH CEDAR STREET from Robert to Cavanaugh (East side only) excepting all public streets and alleys and other lands deemed not benefitted.

ROLL 320	EST. COST	ACTUAL COST	DIFFERENCE
C & G	\$53,121.07	\$53,121.07	-0-
STORM	\$17,205.06	\$17,205.06	-0-
TOTAL	\$70,326.13	\$70,326.13	-0-

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before June 8, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #141

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Ordler Number 91-093, which authorizes the permanent installation of a no parking zone on Allison Drive south of Kendon Drive.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #142

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-005, which authorizes the installation of yield signs on Anson Street at the intersection of Sumpter Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #143

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-006, which authorizes the installation of yield signs on Parkway Drive at the intersection of Vernon Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #144

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-007, which authorizes the installation of stop signs on Lincoln Avenue at the intersection of Clifton Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #145

BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on January 22, 1991, the Lansing City Council passed a resolution that the building at 215 S. Eighth Street, Lansing, Michigan be made safe or demolished within twenty days;

WHEREAS, because of a lawsuit filed by the owner of the property, the building was not demolished, but was ordered by the Ingham County Circuit Court to be brought up to required standards by October 15, 1991;

WHEREAS, the building was last reinspected March 3, 1992 by the Building Safety Division and photographs taken and presented to the Public Service Committee with other evidence of the present condition of the building; and

WHEREAS, from the report on the condition of the building by the Building Safety Division, it is apparent that the owner has failed to substantially comply with the January 22, 1991 resolution of Council to make the building safe or demolish it within the appropriate time;

NOW THEREFORE, IT IS RESOLVED that the January 22, 1991 resolution is reaffirmed and that because the property has not been made safe within the appropriate time, the Building Safety Division is hereby directed to proceed forthwith with the demolition of the building at 215 S. Eighth Street, Lansing, Michigan as an unsafe and dangerous structure.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #146

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 910 Johnson Avenue legally described as:

330I 10 330 131

Lot 1, Block 2, Orchard Grove

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 2, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 9, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #147

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 744 Verlinden legally described as:

3301 08 357 001

Lot 72 Exc Com NW Cor, the E 31.37 ft, SW'y to pt on W line 16 ft S of NW cor, N 16 ft. to beg; West Lawn Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 2, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 9, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #148

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 216 S. M.L.K. Blvd./Logan Street legally described as:

3301 17 403 301

E 85 ft of N 5.25 ft Lot 1 & E 85 ft Lot 2, Block 1, Kempf's Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 2, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 9, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #149

BY COMMITTEE ON WAYS AND MEANS

3-9-92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-1992

That the following transfer be approved:

\$155,105.00 from Gen. Fund-Fund Bal.

A/C 101-000000-390001-00000

155,105.00 to Hum. Ser. Agen.-Bgt. Ctrl.

A/C 101 833710-992200-00000

(\$85,105 to reconcile 1% policy and discretionary fund policy to FY 92 budget in advance of final audit; \$50,000 in Rainy Day Fund from obligation against fund balance; \$20,000 as partial reconciliation of policies for FY 91. Funds

to be appropriated in various memo accounts.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides

Carried unanimously

ITEM XII E-2, RESOLUTION OF TRANSFER OF FUNDS FY 1993, WAS WITHDRAWN FROM THE AGENDA BY COUNCILMEMBER BENAVIDES

RESOLUTION #150

CITY OF LANSING

COUNTIES OF INGHAM, AND EATON, MICHIGAN

RESOLUTION DELEGATING OFFICIAL INTENT DECLARATION

WHEREAS, the City of Lansing, Counties of Ingham and Eaton, Michigan (the "City") is planning to make Combined Sewer Overflow Control Improvements (the "Improvements") required by the City of Lansing Wastewater Treatment Facilities National Pollutant Discharge Elimination System permit, as the permit may be amended; and

WHEREAS, all of the expenditures for the Improvements are expected to be funded by the City on a long-term basis solely with proceeds of bonds issued in expectation of or in reimbursement of the expenditures; and

WHEREAS, the Internal Revenue Service has recently issued Treasury Regulation §1.103-18 governing proceeds of bonds used for reimbursement; and

WHEREAS, pursuant to Treasury Regulation §1.103-18, it is permissible to designate an employee or officer of the City to declare, on behalf of the City, official intent to reimburse expenditures with bond proceeds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Either the Finance Director or the Public Service Director of the City is hereby designated, pursuant to Treasury Regulation §1.103-18(f)(i), as the person to declare, on behalf of the City, official intent to reimburse from bond proceeds all or any portion of an expenditure described in the preamble to this resolution. The Official Intent Declaration may be made on one or more occasions as either the Finance Director or the Public Service Director may deem appropriate.

2. This resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any improvements or to issue any obligations of the City with respect thereto.

3. All resolutions and parts of resolutions in conflict with this resolution shall be, and hereby are, amended or repealed to the extent of such conflict.

By Councilmember Benavides

To substitute a new resolution for the one originally placed in the packet

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the substituted resolution

Adopted by the following vote

YEAS: Councilmembers Beal, Belen, Brockwell, Benavides, Ford, Schmidt

NAYS: Councilmembers Canady, Crawford

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing at a regular meeting held on March 9, 1992, at 7:00 o'clock p.m., Eastern Standard Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting: all members were present and that the following Members were absent: there no absent members.

I further certify that Member Benavides moved for adoption of said resolution and that Member supported said motion.

I further certify that the following Members voted for adoption of said resolution: Beal, Belen, Benavides, Brockwell, Ford, and Schmidt and that the following Members voted against adoption of said resolution: Canady and Crawford.

City Clerk

RESOLUTION #151

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ad Hoc Council Rules Committee completed its review of the City Council Rules and recommended to the Committee of the Whole a draft of the first complete revision since the Rules were last adopted in 1984; and

WHEREAS, the Committee of the Whole has studied the draft, made some amendments, introduced the proposed Rules, and held a public hearing;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 9th day of March, 1992, hereby adopts the attached revision as the Rules of the City Council of the City of Lansing.

attachment

By Councilmember Benavides

Carried unanimously

As adopted by City Council, March 9, 1992

210.01 RULES OF COUNCIL.

Rule 1. Sessions of Council. Regular meetings of Council, unless

otherwise SET FORTH BY RESOLUTION OF CITY Council, shall be held on Monday evenings of each week at a time, PLACE AND DATE to be set by resolution of Council. Special meetings may be CALLED as provided IN Section 3-202 of the City Charter.

Rule 2. Quorum; Attendance; Call of Council. Five members of Council shall constitute a quorum for the transaction of business, but a lesser number may compel the attendance of absentees or adjourn any meeting or hearing until a later date.

No Councilmember shall absent himself or herself from THE Council MEETING without first having obtained leave FROM THE PRESIDING OFFICER. THE PRESIDING OFFICER may revoke leaves of absence at any time.

A call of Council may be ordered by the majority of Councilmembers present, whether a quorum or not, and in pursuance thereof, the Chief of Police or any other person duly authorized by a majority of the Councilmembers present and voting may be dispatched for, and take into custody AND BRING BEFORE COUNCIL ANY Councilmembers absent without leave.

THE PRESIDENT—POWERS AND DUTIES

Rule 3. Presiding at Sessions. The President of Council shall preside over all sessions of Council, or, in his or her absence, the Vice President shall preside. If both the President and Vice President are temporarily absent, then the MOST RECENT past President shall preside as Acting President.

Rule 4. Decisions Subject to Appeal. The PRESIDING OFFICER shall decide all questions arising under the Rules of Council and parliamentary PROCEDURE AS SET FORTH IN MASON'S MANUAL OF LEGISLATIVE PROCEDURE, subject to an appeal, which appeal shall be determined by an AFFIRMATIVE vote of FIVE (5) OF the Councilmembers voting.

Rule 5. Appointment of Committee MEMBERS; CREATION OF AD-HOC COMMITTEES. The President shall appoint all COUNCILMEMBERS TO THE STANDING COMMITTEES AND ANY COUNCIL AD-HOC ADVISORY COMMITTEE AND TO ANY OUTSIDE AGENCIES (See Section 3-102.6 of the City Charter.) THE PRESIDENT SHALL APPOINT THE CHAIRPERSON AND VICE-CHAIRPERSON OF EACH STANDING COMMITTEE AND ANY AD-HOC ADVISORY COMMITTEE. EACH STANDING COMMITTEE OF CITY COUNCIL SHALL CONSIST OF THREE (3) COUNCILMEMBERS. THE PRESIDENT MAY IN HIS/HER DISCRETION CREATE OR DISCHARGE ANY AD-HOC ADVISORY COMMITTEES.

Rule 6. Recognition. The PRESIDING OFFICER shall recognize A Councilmember who wishes to speak. When two or more Councilmembers wish to speak at the same time, the PRESIDING OFFICER shall name the Councilmember who is first to speak. NO COUNCILMEMBER SHALL SPEAK WITHOUT FIRST HAVING BEEN RECOGNIZED BY THE CHAIR.

RULE 7. STAFF OPERATIONS. THE PRESIDENT OF COUNCIL SHALL BE RESPONSIBLE FOR COUNCIL STAFF OPERATIONS. THE PRESIDENT MAY AT ANY TIME DELEGATE IN WRITING THE RESPONSIBILITY FOR COUNCIL STAFF OPERATIONS TO THE VICE-PRESIDENT.

THE CLERK'S DUTIES

Rule 8. Calling the Roll and Noting Absentees. The Clerk OR HIS/HER DEPUTY CLERK shall call the roll at the opening of each MEETING of Council and announce whether or not a quorum is present. He or she shall announce the names of the Councilmembers absent and enter the names of all absentees upon the record of proceedings.

Rule 9. Notice by the Clerk. The Clerk shall give notice, in writing,

to committees, members of Council and City officers concerning THE AGENDA ITEMS WHICH HAVE BEEN REFERRED TO THEM BY CITY COUNCIL.

Rule 10. Preparation of Agenda. The Clerk'S OFFICE shall prepare and provide copies of packets to Council and the Mayor of an agenda of business to be considered at each regularly SCHEDULED Council meeting AND ANY SPECIAL MEETINGS OF CITY COUNCIL. No item of business shall be placed on the agenda for a regular meeting of Council unless notice OF THE SUBJECT MATTER was filed in the office of the Clerk by 9:00 A.M. on the official business day IMMEDIATELY preceding THE BUSINESS DAY OF THE COUNCIL meeting. Agenda items requiring action of Council shall be in the Clerk's office by 1:00 p.m. of the day FOLLOWING THE COMMITTEE MEETING. The agenda for each such meeting shall be posted in the lobby of City Hall and Council Chambers not later than eighteen hours prior to the time of each such meeting, and at such other places as the Council may deem appropriate.

Rule 11. Items Upon Agenda, DESIGNATE ITEMS FOR ACTION. ANY item of business not placed upon the COUNCIL agenda in accordance with the terms of Section 3-103.2 of the City Charter and the provisions of these Rules shall NOT be considered at any meeting of Council, unless this Rule is suspended by the affirmative vote of six members of Council. Individual Councilmembers or committees may sponsor resolutions or ordinances (except initiatives and referendums presented by the citizenry) and place them on Council agendas. Resolutions may be sponsored by the Committee of the Whole if placed on Council agendas by the President, OR IN THE PRESIDENT'S ABSENCE THE VICE PRESIDENT, or by any four Councilmembers WHEN their names are typed at the top of each resolution so sponsored. Committee reports may be sponsored and placed on Council agendas by committee chairpersons or by any two members of the appropriate committees. ANY COMMITTEE REPORT CAN BE REMOVED FROM THE COUNCIL AGENDA AT THE COMMITTEE CHAIRPERSON'S DISCRETION. CITY COUNCIL STAFF SHALL INFORM THE CLERK'S OFFICE OF THOSE ITEMS WHICH ACTION IS TO OCCUR AT THE COUNCIL MEETING. THE CLERK OR HIS/HER DEPUTY SHALL BE RESPONSIBLE FOR DESIGNATING THOSE ITEMS WHICH ARE ON THE COUNCIL AGENDA FOR ACTION WITH AN ASTERISK.

SERGEANT-AT-ARMS

Rule 12. Powers and Duties. A police officer shall be present at all meetings of Council. THE POLICE OFFICER SHALL BE under the direction of the Presiding Officer, shall serve as security and as Sergeant at Arms of Council AND SHALL HAVE GENERAL CHARGE AND SUPERVISION OF THE COUNCIL CHAMBERS, COUNCILMEMBER OFFICES, COMMITTEE ROOMS AND COUNCIL STAFF OFFICES AND WORK AREAS AND ALL CONNECTING HALLWAYS AND PASSAGES.

COUNCILMEMBERS

Rule 13. Speaking. When a Councilmember DESIRES to speak, he or she shall first address the Chair. Debate shall be governed by Mason's Manual of Legislative Procedure, except where superseded by the THESE rules. WHEN THE PRESIDING OFFICER DESIRES TO SPEAK ON ANY AGENDA ITEM IDENTIFIED AS AN ACTION ITEM, HE OR SHE SHALL TURN OVER THE CHAIR TO THE VICE CHAIR.

Rule 14. Compulsory Vote; CONFLICT OF INTEREST. When a question is put TO VOTE by the Chair, every COUNCILmember present shall vote, unless because of AN ACTUAL OR APPARENT

CONFLICT OF INTEREST, he or she is excused by AN AFFIRMATIVE VOTE OF FIVE MEMBERS OF Council. Such interest shall be stated by the Councilmember FOR THE RECORD in his or her request to be excused TO THE COUNCIL AND AN AFFIDAVIT OF DISCLOSURE SHALL BE FILED BY THE COUNCILMEMBER WITH THE CITY CLERK WITHIN THE APPROPRIATE TIME FRAME.

IN THE EVENT THAT A COUNCILMEMBER IS PRESENT AT THE COUNCIL MEETING BUT NOT IN THE COUNCIL CHAMBERS AT THE TIME A VOTE IS TAKEN, THE VOTE WILL BE RECORDED BY THE CITY CLERK AS A "NO" VOTE UNLESS THE COUNCILMEMBER HAS BEEN EXCUSED BY THE PRESIDING OFFICER.

Rule 15. Important Items; Vote Requested. Any matter of business requiring the vote of more than five members of Council, which is defeated at a meeting at which all members of Council are not present, may be reconsidered at either of the first two meetings thereafter.

ORDER OF BUSINESS

Rule 16. Generally. The order of business of Council shall be on the printed agenda prepared by the Clerk and shall be as follows:

1. Roll call
2. Invocation and Pledge of Allegiance
3. Reading and approval of printed Council proceedings
4. Motion to suspend Council Rule 11 to allow consideration of late items at the end of the agenda (if deemed necessary and appropriate)
5. Scheduled public hearings (TIME LIMIT: 5 MINUTES PER SPEAKER)
6. Public comment on items of business IDENTIFIED ON THE AGENDA for action, including City officer and board reports, committee reports, resolutions, ordinances and late items approved for consideration (time limit: five minutes per speaker)
7. Special ceremonies, if any
8. Receipt of communications and petitions for information or referral
9. Mayor or Executive Assistant to the Mayor may comment on agenda items, including late items approved for consideration
10. City officer and board reports for information, referral or action
11. Committee reports for action
12. Resolutions for action
13. Ordinances for introduction and setting of public hearing
14. Ordinances for passage
15. Consideration of late items, if any
16. Tabled items, if any
17. Motion of excused absence
18. Remarks by the Mayor or Executive Assistant to the Mayor
19. Remarks by Councilmembers
20. Public CITIZENS may comment (time limit: three minutes per speaker)
21. Adjournment

Rule 17. Standing Committees. At the commencement of each year the President shall appoint COUNCILMEMBERS TO THE FOLLOWING standing committees:

1. COMMITTEE ON WAYS AND MEANS
2. COMMITTEE ON PHYSICAL DEVELOPMENT
3. COMMITTEE ON PUBLIC SAFETY
4. COMMITTEE ON PUBLIC SERVICES
5. COMMITTEE ON GENERAL SERVICES
6. COMMITTEE ON ECONOMIC DEVELOPMENT

7. COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

The President shall appoint a Chairperson and Vice Chairperson of each standing committee. In the temporary absence of the Chairperson, the Vice Chairperson shall act as Chairperson. The standing committees functions shall be REVIEWED BY THE COUNCIL PRESIDENT AND SHALL BE ADOPTED by resolution of Council during January of each year.

Rule 18. Duties of Committees; Quorum; Discharge of Committees. All committees appointed by Council shall thoroughly investigate such matters as are referred to them and report their findings in a timely manner.

All committees appointed by Council, other than standing committees, shall have a fixed term of life and shall expire at such times unless extended by a majority vote of Council.

A quorum of a committee shall be a majority of the committee MEMBERS PRESENT.

A committee shall be discharged of any matter referred to it by an affirmative vote of two-thirds of the Councilmembers AT THE COMMITTEE OF THE WHOLE OR CITY COUNCIL MEETING.

No COUNCIL committee, AD-HOC OR STANDING, shall MEET during a session of Council unless PRIOR PERMISSION HAS BEEN granted by Council. ANY COUNCIL COMMITTEE, AD-HOC, STANDING, OR COMMITTEE OF THE WHOLE SHALL FOLLOW THESE RULES OF PROCEDURE AND MASON'S MANUAL OF LEGISLATIVE PROCEDURE WHENEVER APPLICABLE. EVERY COMMITTEE, STANDING OR AD-HOC SHALL PROVIDE AN OPPORTUNITY FOR PUBLIC TO SPEAK ON ITEMS DESIGNATED FOR ACTION BY THE COMMITTEE. THE CHAIRPERSON OF EACH COMMITTEE STANDING OR AD-HOC, SHALL BE RESPONSIBLE FOR SETTING AND ENFORCING THE RULES GOVERNING PUBLIC COMMENT AT HIS/HER COMMITTEE.

RULE 19. RULES OF DECORUM FOR MEETINGS; ADDRESS BY PERSONS.

(1) **DECORUM REQUIRED.** MEETINGS OF COUNCIL SHALL BE CONDUCTED IN AN ORDERLY MANNER TO ENSURE THAT THE PUBLIC HAS A FULL OPPORTUNITY TO BE HEARD AND THAT THE DELIBERATIVE PROCESS OF COUNCIL IS RETAINED AT ALL TIMES. THE PRESIDING OFFICER OF COUNCIL SHALL BE RESPONSIBLE FOR MAINTAINING THE ORDER AND DECORUM OF MEETINGS.

(2) **RULES OF DECORUM.** WHILE ANY MEETING OF COUNCIL IS IN SESSION, THE FOLLOWING RULES OF ORDER AND DECORUM SHALL BE OBSERVED:

A. **COUNCILMEMBERS.** THE MEMBERS OF COUNCIL SHALL PRESERVE ORDER AND DECORUM, AND A MEMBER SHALL NOT, BY CONVERSATION OR OTHER MEANS, DELAY OR INTERRUPT THE COUNCIL PROCEEDINGS OR DISTURB ANY OTHER MEMBER WHILE SPEAKING.

B. **CITY STAFF MEMBERS.** EMPLOYEES OF THE CITY SHALL OBSERVE THE SAME RULES OF ORDER AND DECORUM AS THOSE WHICH APPLY TO THE MEMBERS OF COUNCIL.

C. **MEMBERS OF THE AUDIENCE.** NO PERSON IN THE AUDIENCE AT A COUNCIL MEETING SHALL ENGAGE IN DISORDERLY OR BOISTEROUS CONDUCT, INCLUDING THE UTTERANCE OF LOUD, THREATENING OR ABUSIVE LANGUAGE, WHISTLING, STAMPING OF FEET, CLAPPING OR OTHER ACTS WHICH DISTURB, DISRUPT OR OTHERWISE IMPEDE THE ORDERLY CONDUCT OF ANY COUNCIL MEETING OR OF ANY SPEAKER. ANY PERSON WHO

CONDUCTS HIMSELF OR HERSELF IN THE AFOREMENTIONED MANNER SHALL, AT THE DISCRETION OF THE PRESIDING OFFICER OR A MAJORITY OF COUNCIL, BE REMOVED FROM THE COUNCIL CHAMBERS DURING THE MEETING.

(D) **ADDRESSING COUNCIL.** ANY PERSON WISHING TO ADDRESS COUNCIL REGARDING AN ITEM DESIGNATED AS AN ACTION ITEM WHICH IS ON THE COUNCIL MEETING AGENDA SHALL SEEK RECOGNITION FROM THE PRESIDING OFFICER OF COUNCIL BEFORE BEGINNING DISCUSSION OF ANY ITEM DESIGNATED AS AN ACTION ITEM. PERSONS WISHING TO DISCUSS A NON-AGENDA OR NON-ACTION ITEMS SHALL SEEK RECOGNITION FROM THE PRESIDING OFFICER BEFORE BEGINNING DISCUSSION DURING THE "CITIZEN COMMENT" PORTION OF THE MEETING. THE FOLLOWING PROCEDURES SHALL BE OBSERVED BY PERSONS ADDRESSING COUNCIL:

1. WHEN ADDRESSING CITY COUNCIL THE SPEAKER SHALL DO SO IN AN ORDERLY MANNER AND SHALL NOT MAKE PERSONAL, IMPERTINENT, SLANDEROUS OR PROFANE REMARKS TO ANY MEMBER OF COUNCIL, THE MAYOR, OR OF THE STAFF OR THE GENERAL PUBLIC. ANY SPEAKER WHO MAKES SUCH REMARKS, OR WHO UTTERS LOUD, THREATENING, PERSONAL OR ABUSIVE LANGUAGE, OR WHO ENGAGES IN ANY OTHER DISORDERLY CONDUCT WHICH DISRUPTS, DISTURBS OR OTHERWISE IMPEDES THE ORDERLY CONDUCT OF ANY COUNCIL MEETING, SHALL, AT THE DISCRETION OF THE PRESIDING OFFICER OR A MAJORITY OF COUNCIL, BE BARRED FROM SPEAKING FURTHER BEFORE COUNCIL DURING THAT MEETING.

2. EACH PERSON SHALL STEP UP TO THE PODIUM PROVIDED FOR THE USE OF THE PUBLIC AND SHALL STATE HIS OR HER NAME, AND ADDRESS, AND IF HE OR SHE WISHES TO ADDRESS THE CITY COUNCIL DURING THE "PUBLIC COMMENT" ON ITEMS IDENTIFIED FOR ACTION ON THE COUNCIL AGENDA PORTION OF THE MEETING, INDICATE THE SUBJECT HE OR SHE WISHES TO DISCUSS.

3. DURING THE "CITIZEN COMMENT" PORTION OF THE MEETING, ANY SUBJECT WHICH IN THE DISCRETION OF THE PRESIDING OFFICER DOES NOT PERTAIN TO MATTERS WITHIN THE JURISDICTION OF THE CITY SHALL NOT BE RELEVANT AND SHALL BE CONCLUDED BY THE PRESIDING OFFICER.

4. WHEN SPEAKING DURING PUBLIC HEARING, EACH PERSON SHALL CONFINE HIS OR HER REMARKS TO THE COUNCIL AGENDA ITEM WHICH HAS BEEN DESIGNATED FOR PUBLIC HEARING AND WHICH HE OR SHE HAS INDICATED HE OR SHE WISHES TO DISCUSS.

A. EACH PERSON SHALL LIMIT HIS OR HER REMARKS TO FIVE MINUTES WHEN SPEAKING DURING PUBLIC HEARING, UNLESS FURTHER TIME TO SPEAK IS GRANTED BY FIVE (5) AFFIRMATIVE VOTES OF CITY COUNCILMEMBERS.

5. WHEN SPEAKING DURING PUBLIC COMMENT ON ITEMS DESIGNATED FOR ACTION ON THE COUNCIL AGENDA, EACH PERSON SHALL CONFINE HIS OR HER REMARKS TO THE COUNCIL AGENDA ITEM WHICH HAS BEEN DESIGNATED FOR ACTION AND WHICH HE/SHE HAS INDICATED HE/SHE WISHES TO DISCUSS.

A. EACH PERSON SHALL LIMIT HIS OR HER REMARKS TO FIVE MINUTES WHEN SPEAKING DURING PUBLIC COMMENT ON ITEMS IDENTIFIED FOR ACTION ON THE COUNCIL AGENDA, UNLESS FURTHER TIME TO SPEAK IS GRANTED BY FIVE (5) AFFIRMATIVE VOTES OF CITY COUNCILMEMBERS.

6. IF THE SPEAKER ADDRESSES COUNCIL AT THE END OF THE COUNCIL AGENDA UNDER "CITIZEN COMMENT", THE SPEAKER SHALL NOT SPEAK FOR MORE THAN THREE (3) MINUTES UNLESS A MOTION TO EXTEND TIME IS MADE BY A COUNCILMEMBER AND SECONDED BY ANOTHER COUNCILMEMBER, A ROLL CALL VOTE IS TAKEN AND SIX (6) AFFIRMATIVE VOTES OF CITY COUNCILMEMBERS SUPPORT THE MOTION TO EXTEND THE TIME TO SPEAK.

7. THE TIME TO SPEAK SHALL COMMENCE AT THE TIME THE PRESIDING OFFICER RECOGNIZES THE SPEAKER.

8. ALL REMARKS, WHETHER AT PUBLIC COMMENT PORTION OR CITIZEN COMMENT PORTION OF THE MEETING, SHALL BE ADDRESSED TO COUNCIL AS A WHOLE AND NOT TO ANY SINGLE MEMBER THEREOF, UNLESS IN RESPONSE TO A QUESTION FROM SAID MEMBER.

9. NO QUESTION MAY BE ASKED OF A MEMBER OF COUNCIL, MAYOR OR OF THE CITY STAFF WITHOUT THE PRIOR PERMISSION OF THE PRESIDING OFFICER.

10. IF A LARGE CROWD IS PRESENT AND IT BECOMES EVIDENT THAT A NUMBER OF SPEAKERS WISH TO ADDRESS COUNCIL, THE PRESIDING OFFICER OR A MAJORITY OF COUNCIL MAY SHORTEN THE TIME LIMITS SET FORTH AND/OR MAY REQUEST THAT COMMENTS BE LIMITED TO SPOKESPERSONS AUTHORIZED TO REPRESENT PARTICULAR POSITIONS OR VIEWPOINTS.

(3) **ENFORCEMENT OF DECORUM.** THE RULES OF DECORUM SET FORTH ABOVE SHALL BE ENFORCED IN THE FOLLOWING MANNER:

A. **WARNING.** THE PRESIDING OFFICER SHALL REQUEST THAT A PERSON WHO IS BREACHING THE RULES OF DECORUM BE ORDERLY AND SILENT. IF, AFTER RECEIVING A WARNING FROM THE PRESIDING OFFICER, A PERSON PERSISTS IN DISTURBING THE MEETING, THE PRESIDING OFFICER SHALL ORDER HIM OR HER TO LEAVE THE COUNCIL MEETING TO LEAVE THE PODIUM OR COUNCIL CHAMBERS, WHICHEVER IS APPROPRIATE. IF SUCH PERSONS DOES NOT REMOVE HIMSELF OR HERSELF PURSUANT TO THE ORDER OF THE PRESIDING OFFICER, THE PRESIDING OFFICER MAY ORDER THE SERGEANT AT ARMS WHO IS ON DUTY AT THE MEETING OF COUNCIL TO REMOVE THAT PERSON FROM THE COUNCIL CHAMBERS OR PODIUM, WHICHEVER IS APPROPRIATE.

B. **REMOVAL.** ANY LAW ENFORCEMENT OFFICER WHO IS ON DUTY AT THE COUNCIL MEETING SHALL CARRY OUT ALL ORDERS AND INSTRUCTIONS GIVEN BY THE PRESIDING OFFICER FOR THE PURPOSE OF MAINTAINING ORDER AND DECORUM AT THE COUNCIL MEETING. UPON INSTRUCTION FROM THE PRESIDING OFFICER, IT SHALL BE THE DUTY OF A LAW ENFORCEMENT OFFICER TO REMOVE FROM THE COUNCIL MEETING ANY PERSON WHO IS DISTURBING THE PROCEEDINGS OF COUNCIL.

C. **MOTION TO ENFORCE.** IF THE PRESIDING OFFICER

OF COUNCIL FAILS TO ENFORCE THE RULES SET FORTH ABOVE, ANY MEMBER OF COUNCIL MAY MOVE TO REQUIRE HIM OR HER TO DO SO, AND AN AFFIRMATIVE VOTE OF A MAJORITY OF COUNCIL SHALL REQUIRE HIM OR HER TO DO SO. IF THE PRESIDING OFFICER OF COUNCIL FAILS TO CARRY OUT THE WILL OF A MAJORITY OF COUNCIL, THE MAJORITY MAY DESIGNATE ANOTHER MEMBER OF COUNCIL TO ACT AS PRESIDING OFFICER FOR THE LIMITED PURPOSE OF ENFORCING ANY RULE OF THIS SECTION WHICH IT WISHES ENFORCED.

D. ADJOURNMENT OR RECESS. IF A MEETING OF COUNCIL IS DISTURBED OR DISRUPTED IN SUCH A MANNER AS TO MAKE INFEASIBLE OR IMPROBABLE THE RESTORATION OF ORDER, THE MEETING MAY BE RECESSED OR ADJOURNED OR CONTINUED BY THE PRESIDING OFFICER OR A MAJORITY OF COUNCIL, AND ANY REMAINING COUNCIL BUSINESS MAY BE CONSIDERED AT THE NEXT MEETING.

Rule 20. Introduction; Consideration. Ordinances may be introduced by Councilmembers at any regular meeting of Council in the regular order of business. All ordinances must be in writing and shall be approved as to form and section numbers by the City Attorney.

The regular order for consideration of ordinance proposals shall be:

1. Introduction, first reading by title;
2. Referral to the appropriate committee;
3. Public hearing on the ordinance scheduled by Council, which hearing shall be scheduled to be held not sooner than five days after notice of the hearing is posted on City bulletin boards;
4. Report on the ordinance in writing; and
5. Final reading and passage.

These five steps shall take place in not less than two regular meetings of Council. This Rule shall not be suspended except by the affirmative vote of six Councilmembers.

Rule 21. Manner of Introduction; Form. Each ordinance introduced shall be accompanied by three true copies, and a copy shall be provided to the Mayor and to each Councilmember by the City Clerk. In each ordinance amending an existing ordinance, changes or new matter shall be placed in capital type, and matter which has been omitted shall be indicated by printing in stricken through type. Every ordinance shall have endorsed thereon the name of the Councilmember introducing it. In the drafting of proposed ordinances, the lines on each page shall be numbered consecutively. Proposed ordinances shall be reproduced and deposited in the City Clerk's office in sufficient quantity to meet reasonable requests for copies. They shall not be printed in Official Proceedings of the City Council of the City of Lansing until they are finally enacted.

Rule 22. First Reading, Referral and Report. All ordinances, on introduction, shall be read by title and may be referred to the appropriate committee and be reported on in writing by that committee before final passage.

Rule 23. Readings. Every ordinance shall receive two readings previous to its being passed, and no ordinance shall be amended or committed until it has been read once. The first reading shall be in full unless otherwise ordered by Council.

Rule 24. Amendment at Final Reading. No amendment shall be received for discussion at the final reading of any ordinance recommended for passage unless supported by a majority of the Councilmembers present and voting thereon, and a vote of five

Councilmembers is required to adopt any such amendment.

Rule 25. Commitment Before Final Passage. It shall be in order at any time before the final passage of any ordinance to move its commitment or recommitment.

Rule 26. Final Vote; Publication. On final passage of all ordinances, the vote shall be taken by yeas and nays and entered upon the record of proceedings. No ordinance shall be declared passed unless five or more Councilmembers have voted therefor. Upon passage, all ordinances shall be published in a newspaper of general circulation within the City with notice of their passage.

COMMITTEE OF THE WHOLE

Rule 27. Chairperson of Committee. When Council resolves itself into a Committee of the Whole, the President shall preside, except that in his or her absence, the Vice President shall preside. In the absence of both the President and the Vice President, the MOST RECENT past President of Council shall preside.

Rule 28. Rules in Committee. The Rules of Council shall be observed in the Committee of the Whole except for limiting debate, moving to vote immediately and taking the yeas and nays. A motion that the Committee rise shall always be in order and shall be decided without debate. Motions recommending action by Council shall take precedence in the same order as analogous motions in Council. A motion to reconsider shall be in order in the Committee of the Whole.

MOTIONS AND RESOLUTIONS

Rule 29. Statement; Reduction to Writing; Withdrawal. No motion or resolution shall be adopted until stated by the Chair. A motion shall be reduced to writing if required by any Councilmember, and, when presented in writing, shall be read by the Clerk before the same shall be open to debate. A RESOLUTION SHALL ALWAYS BE REDUCED TO WRITING BEFORE BEING ADOPTED. A request by any Councilmember for a reasonable recess to reduce a motion or resolution to writing shall always be in order and shall be granted. Any motion or resolution may be withdrawn BY THE SPONSOR at any time before decision or amendment.

Rule 30. Precedence of Motions. When a question is under debate, no motion shall be received except:

1. To adjourn;
2. To take a recess;
3. To lay on the table;
4. CALL TO QUESTION;
5. To postpone to a day certain;
6. To refer or re-refer;
7. To amend; or
8. To postpone indefinitely.

Such motions shall take precedence in the order in which they APPEAR ABOVE.

Rule 31. Motion to Adjourn; Nondebatable Motions. A motion to adjourn shall always be in order. A motion to adjourn, to recess, to lay on the table or to vote immediately, and all questions relating to the priority of business, shall be decided without debate.

Rule 32. Motion to Lay on the Table. A decision to lay upon the table shall carry with it all questions to which it is attached, except in the case of laying an appeal (AS EXPLAINED IN RULE #41) on the table.

Rule 33. Indefinite Postponement. A motion to postpone indefinitely the further consideration of any ordinance, motion, resolution or other matter shall require the votes of five Councilmembers to carry it, and the vote upon such a motion shall not be reconsidered. A motion to lay on the table, or a motion to reconsider the vote by which any ordinance, motion or resolution

has failed to pass Council, if agreed to, shall have the effect of postponing indefinitely the consideration thereof, and shall require the votes of five Councilmembers to carry it.

Rule 34. REConsideration. When a question has been once decided, it shall be in order for any Councilmember to move the reconsideration thereof, but no motion for reconsideration shall be in order unless made on the same day the vote was taken, or at the next regular MEETING of Council NO question SHALL be reconsidered more than once. A motion to reconsider the vote by which any ordinance, motion or resolution has passed Council shall require the votes of five Councilmembers to carry it.

Rule 35. Effect of Tabling Motion to Reconsider. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.

MISCELLANEOUS

Rule 36. Division of Question. Any Councilmember may call for a division of any pending question, which shall be divided if it comprehends propositions so distinct that if one is taken away, a substantive proposition shall remain.

Rule 37. Roll Call Vote. The affirmative and negative votes shall be taken and recorded on all ordinances, and whenever requested by one or more Councilmembers, on any other matter.

Rule 38. Other Business Cannot Interrupt Roll Call. When the yeas and nays are demanded upon any question, and after the question is stated by the Chair, the Clerk is directed to call the roll. After the first vote is given, no Councilmember shall be entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result declared.

Rule 39. Appeals. Any Councilmember may appeal from any decision of the Chair. On all appeals the question shall be: "Shall the decision of the Chair stand as the judgment of Council?" Appeals shall be debatable except when Council is under operation of the order to vote immediately, or when the decision appealed from relates to the priority of business.

Rule 40. Laying Appeal on the Table. Any appeal may be laid on the table, but it shall not carry with it the subject matter before Council at the time such appeal is taken.

Rule 41. Suspension of Rules. Any Rule may be suspended by a vote of six Councilmembers.

Rule 42. Amendment, Repeal and Re-Adoption of Rules. A motion to amend or repeal any Council Rule shall require the votes of five Councilmembers. These Rules may be revised or amended and re-adopted by Council as it deems appropriate. A motion made under this Rule shall not be considered for adoption sooner than the next Council meeting.

Rule 43. Parliamentary Practice. The rules of parliamentary practice comprised in Mason's Manual on Legislative Procedure shall govern in all cases in which they are not inconsistent with the standing rules and orders of Council or the City Charter during all meetings of Council and its committees and committees appointed by Council.

Rule 44. Closed Sessions. Council shall meet in closed session for the following purposes only:

1. To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, when the named person requests a closed hearing;

2. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either

negotiating party requests a closed hearing;

3. To consider the purchase or lease of real property by the City up to the time an option to purchase or lease that real property is obtained;

4. To consult with the City Attorney or any of his or her assistants regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body;

5. To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the application remain confidential. However, all interviews by Council for employment or appointment to a public office shall be held in an open meeting.

6. To consider material exempt from discussion or disclosure by State or Federal law.

A closed session may be requested by the Mayor, the President or any two Councilmembers at any regular or special meeting. The person requesting a closed session shall state the purpose of such session. The stated purpose of the closed session shall constitute the only agenda items for the closed session.

A majority roll call vote of the entire Council shall be required to call a closed session for purposes set forth in paragraphs 1. and 2. hereof. A two-thirds roll call vote of the entire Council membership serving shall be required to call a closed session for purposes set forth in paragraphs 3. through 6. hereof. Council may adjourn a closed session or open the meeting to the public upon the vote of five Councilmembers. Council may deliberate during the closed sessions. However, all decisions, determinations, actions, votes or dispositions upon a proposal, recommendation, resolution, order or ordinance must be made at a meeting open to the public. A separate set of minutes of the closed session shall be taken by the designated secretary of the Council, shall be retained by the City Clerk, shall not be available to the public and shall only be disclosed pursuant to a court order. THE MINUTES OF A CLOSED SESSION WHICH ARE ON FILE IN THE OFFICE OF THE CITY CLERK SHALL BE RETURNED UNOPENED TO THE COUNCIL PRESIDENT ONE YEAR AND ONE DAY AFTER APPROVAL OF THE MINUTES OF THE REGULAR MEETING AT WHICH THE MINUTES OF THE CLOSED MEETING WAS APPROVED. THE COUNCIL PRESIDENT SHALL DESTROY THE MINUTES UNLESS A CIVIL ACTION REGARDING A CLOSED SESSION HAS BEEN FILED OR IS PENDING.

Whenever Council enters a closed session in the tenth floor Conference Room of City Hall, all persons not required for the closed session shall immediately leave the Conference Room and clear adjacent areas. The Council lobby shall be the nearest congregating area for those waiting to re-enter the meeting upon completion of the closed session WHEN THE CLOSED SESSION IS HELD IN THE TENTH FLOOR CONFERENCE ROOM OF CITY HALL.

Rule 45. Council Parking. Each member of Council shall have a permanently assigned parking space in the basement of City Hall. These parking bays shall be nonassignable and shall be used exclusively by the Councilmembers UNLESS PRIOR APPROVAL HAS BEEN GIVEN BY THAT COUNCILMEMBER.

Rule 46. Smoking Prohibited. ON THE 10TH FLOOR OF CITY HALL, SMOKING MAY BE PERMITTED IN PRIVATE ENCLOSED OFFICES OF COUNCILMEMBERS AND STAFF MEMBERS PROVIDED THAT SUCH OFFICES ARE NOT POSTED WITH "NO SMOKING" SIGNS AND THAT THE ENTRY DOORS TO SUCH

OFFICES ARE KEPT CLOSED UNDER NORMAL CIRCUMSTANCES. ALL OTHER AREAS OF THE 10TH FLOOR, INCLUDING THE COUNCIL CHAMBERS AND THE COMMITTEE ROOM, ARE TO BE POSTED AS "NO SMOKING" AREAS.

Rule 47. Compensation of Judges. If Council is requested or desires to appropriate money for the purpose of increasing the salary level of the Judges of the 54-A District Court, before action is taken thereon, the President of Council shall appoint an ad-hoc citizens advisory committee of five members, which committee shall examine the Judges' salaries and any proposals to raise them and recommend to Council what, if any, increase is appropriate. Council shall consider the recommendation of the committee in determining what, if any, increase in the Judges' salaries should be granted. (Adopting Ordinance)

Rule 48. Physical Presence Required. A member of Council must be physically present at any Council meeting, any Committee of the Whole meeting, any standing Council meeting or any special ad-hoc Council meeting in order to vote or be counted as part of a quorum.

RULE 49. USE OF COUNCIL CHAMBERS AND CONFERENCE ROOM. The following comprehensive policy on the use of the Tenth Floor Council Chambers and Conference Room is hereby adopted:

A. Priorities for Scheduling Use of Facilities.

1. Council functions, including Channel 28;
2. Other City functions, including citizen boards; and
3. All outside functions, as approved in advance by Council.

Scheduling the use of the Chambers and Conference Room shall be done in consultation with the Council Staff and shall include time for pre-event set-up and post-event clean-up. Council Staff shall maintain a master calendar, primarily based on a first-come, first-served schedule for the Chambers and Conference Room. However, in extraordinary circumstances, Council may need to pre-empt a scheduled use of Tenth Floor facilities for Council business.

B. Conditions for Use of Facilities by Non-City Groups.

1. Any non-City individual or group desiring use of the Council Chambers or Conference Room for a governmental purpose shall request permission from Council at least thirty days in advance of the event. Such request shall be considered as soon as possible by the Committee of the Whole. The Chambers and Conference Room shall not be made available to non-City individuals or groups for private, nongovernmental events.

2. Non-City individuals or groups granted permission by Council for use of the Chambers or Conference Room shall sign a statement acknowledging responsibility for the conduct of their event within the following restrictions:

a. Councilmember and Staff offices, desks, telephones and supplies shall not be used by event organizers or participants, including media representatives.

b. Refreshments shall be the responsibility of event organizers.

c. Requests for use of the Tenth Floor sound system, audio recording equipment, video equipment or other logistical arrangements shall be made at the time permission to schedule the facility is requested.

d. The movement of tables, chairs and other equipment shall be done by event organizers under the direction of the Council Staff.

e. No event shall be allowed to interfere with regular Tenth

Floor activities.

f. No event shall be allowed during times when City Hall is closed unless the organizers receive written permission from the Mayor prior to Council consideration of the request to schedule use of Tenth Floor facilities.

g. Event participants shall not congregate anywhere on the Tenth Floor outside the Chambers or Conference Room for the purpose of causes or continuation of event discussions.

h. Event organizers shall clean up the Chambers and/or Conference Room and move equipment to original locations after the event.

i. Event organizers shall be responsible for any City costs, including Staff overtime, incurred due to their event, as determined by Council.

j. Event organizers shall indemnify and hold the City harmless from all liability for any damage suffered by event participants.

k. Event organizers unable to conduct their event and control their participants within these restrictions and conditions shall be barred from future use of Tenth Floor facilities.

The Mayor, City Clerk and Council Staff are requested to disseminate this policy to all known users of Tenth Floor facilities.

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt a letter from R.J. Mote of 837 Fred St. regarding violation of the noise ordinance by large equipment being operated at the property next door to him

REFERRED TO THE CITY ATTORNEY

2/ From Councilmember Canady a letter from The Names Project requesting a contribution by the City of Lansing of the use of the Lansing Center for June 17-June 21, 1992

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC MAY COMMENT

William Bernstein of 420 Baker St. said that Council is not doing its' job. He said that he will continue to make comments whether Councilmembers like them or not.

Frank Curtis of 1136 W. Allegan said that the new Council rules ignore constitutional rights. He made allegations of racism on City Council.

Lloyd Teets of 116 E. Elm St. spoke regarding the ordinance amendment for residential care facilities passed last week.

Dale Dobberstein of 916 W. Cavanaugh accused Council of stealing freedoms from the people who attend the meetings and said Councilmembers do not listen to people who come down to talk to them about their problems.

Andrew Kline of 3233 Christine Drive said it is a good thing for Councilmembers that they do not have a 3 minute time limit for their comments.

Andrew Anthos of 216 N. Holmes St. asked Council to express

interest in people's problems no matter what those problems are, or whether they agree. He said we are all inter-related and Council needs to work with these people to give the City a better image.

Harold Leeman of 529 N. Francis asked City Clerk Blair to tell the audience about the Presidential Preference Primary. Mr. Blair announced that anyone interested in the Presidential Preference Primary may watch an informative program on Channel 28, Tuesday, March 10, 1992 at 3:00 P.M. This 40 minute program will be repeated Thursday, March 12, 1992 at 10:00 A.M. Clerk Blair said this is a political party election, 2 simultaneous elections will be held on March 17, 1992 one for the Democratic party and one for the Republican party. Everyone who votes and which party they vote for will be a matter of public record and will go on their voting history.

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mrs. Flaherty addressed Mr. Leeman's concerns about the qualifications of the Police Officers appointed to the post of Sergeant At Arms of the Council meetings. She pointed out that each Officer given this assignment is a sworn City Officer that is out on the streets daily handling a large array of duties and can handle the assignment to Council in a competent and capable manner.

REMARKS BY COUNCILMEMBERS

Councilmember Brockwell said that the B.A.D. dance last Saturday night was a big success and will be a front runner in Lansing in the fight against drugs because it keeps the younger generation from getting involved with them. He offered his thanks to James Battle for Chairing the dance and congratulated him on his marriage earlier that day.

Councilmember Schmidt announced that this is the week that the Board of Review is meeting on the third floor of City Hall. She said there have been changes in what they are allowed to examine. They are allowing approximately 10-12 minutes per appointment, and any questions should be directed to the Assessor's Office.

Councilmember Benavides said that the amendment to the Zoning Code regarding Residential Care Facilities that was passed last week is a different amendment than one that had been introduced earlier.

Councilmember Ford announced a programming change for Channel 28 and C-SPAN. On Friday March 13, 1992 C-SPAN will move to Channel 41 which will allow it to run 24 hours a day. School District programs will run on Channel 40 for the most part. School Board meetings will run on Channel 28 at 1:30 P.M. Fridays. City programming will run on Channel 28 weekdays from 8:00 A.M. until 9:00 P.M. He reminded everyone that March 18, 1992 is the first meeting of the Citizens Agenda for Safe Streets. Mrs. Flaherty will be there from the Mayor's Office as well as a representative from the Police Department.

ADJOURNED 10:15

JAMES D. BLAIR, CITY CLERK

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**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING**

Proceedings, March 16, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
March 16, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Belen

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a resolution to amend the previously set fee for Non-resident Senior Citizen Silver Golf Pass

2/ From Councilmember Schmidt a resolution of tribute to the American Legion

3/ From Councilmember Schmidt a resolution of tribute to Elizabeth Mary Barshaw winner of a State-wide Poster Contest

4/ From Councilmember Ford a letter from Mrs. Swanson of 1612 William St. regarding problems facing their neighborhood

5/ From Councilmember Canady a resolution authorizing the sale of Land by the Board of Water and Light to Michigan Department of Transportation

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm spoke in opposition to the resolution of demolition for 3003 Turner St. He said he does not believe this house to be dangerous or unsafe.

Harold Leeman of 529 N. Francis asked who would receive the proceeds from the sale of land to MDOT, the City, or the Board of Water and Light. Councilmember Canady replied that ultimately they would go to the general fund. Councilmember Benavides said it was his understanding that the proceeds would go to the Board of Water and Light unless the resolution was amended to state that the money must come to the City.

SPECIAL CEREMONIES

Paul Dykema, Forester with the City of Lansing Parks and Recreation Department, accepted the Gold Leaf Award given by the Michigan Forestry and Parks Association presented by Dr.

James Keilbaso, Professor of Forestry at Michigan State University. Dr. Keilbaso complimented Lansing for being one of the first cities to have a Forester in charge of trees and for being the winner of the Tree City USA award several times. Lansing has over 40,000 trees, he said. The Gold Leaf Award is being given in honor of this year's Arbor Day celebration. Mayor McKane said he is very proud of Lansing's program. He thanked Dr. Keilbaso for the presentation and Mr. Reickel, Mr. Dykema and the staff of the Parks Department.

Eric Reickel, Director of Parks and Recreation explained the Community Center Program and its' importance to Lansing Youths. He introduced Tracy Keyton from the Kingsley Community Center, to present awards to the winners of the Second Annual Black History Poster Contest. There were 21 winners present to accept their awards.

Councilmember Schmidt presented a resolution of tribute to Jack Gunther, Carl Hoefflinger, Gene Lambami, and Lloyd Johnstin, representing the American Legion. Mr. Gunther thanked Mayor McKane and Councilmembers for the honor bestowed upon them. He said they owe the recognition they receive to their predecessors. Mayor McKane said that He is proud to be a member of the American Legion and that they will fight to get, and keep, the funding they need to perform their services to young people, and veterans and their dependents.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Petition for Special Land Use—SLU-4-92, 430 through 440 North Larch St. by Volunteers of America, Inc. to allow them to establish a Residential Care Facility for 50 men and 10 women & children with 24 hour supervision

REFERRED TO THE MAYOR AND
THE PLANNING BOARD

B. Report from the Environmental Protection Agency regarding environmental contamination at the Adams Plating Superfund site

RECEIVED AND PLACED ON FILE

C. Letter from the Michigan Department of Natural Resources approving the "Final Combined Sewer Overflow Control Program"

REFERRED TO THE MAYOR

D. Letter from Leon Hilton, President of UAW Local 2256 regarding upkeep of athletic fields

REFERRED TO THE MAYOR

E. Petition signed by 1,564 Residents of the Lansing community requesting no change in the hours of operation for City Community Centers, chiefly Kingsley Community Center, and submitting attendance statistics for Kingsley Center

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane commended on his letter #2 from tonight's agenda, the report of the Blue Ribbon Committee. He said the City needs to move forward on the development of a strategic plan for the future. This report will be put on the agenda for the Committee of the Whole on Thursday. He introduced Committee Chairman William Coultas. Mr. Coultas introduced the other committee members; Rick Current, Michael Guthrie, Harold Hailey, Priscilla Holmes, Nick Khouri, John O'Malia, Scott D. McGill, William Roche, Thomas Swincicki, and Mary Margaret Murphy-Woll. He said they were an excellent group to work with and that copies of the report are being sent to the unions and department heads.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #151

March 13, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

BUILDING WRECKER: City of Lansing

BUILDING MOVER: City of Lansing

PUBLIC DRIVER: Jack Albert Ailles

SIGN ERECTOR: Johnson Sign Company, City of Lansing

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Benavides

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 9, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from Al Knot, City Attorney submitting Petition for Notice of Hearing and Proof of Service from City Treasurer, Jim Goodin

RECEIVED AND PLACED ON FILE

D. Recommendation for Non-Profit Status to Michigan Independ-

ent Auto Dealers Association from Al Knot, City Attorney

REFERRED TO THE COMMITTEE ON GENERAL SERVICE
(SEE RESOLUTION #154)

E. Letters from the Mayor re:

1. Petosky Plastics Awarded Bid for City of Lansing Plastic Refuse Bags

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. Blue Ribbon Committee Report

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Public Improvement I—Benton Blvd. Sanitary Sewer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4. Renovation of Homes on Shiawassee St. between Pine and Sycamore

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND
THE COMMITTEE ON WAYS AND MEANS

5. Request for Tax Abatement—1900 W. Willow St.

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

6. Transfer of Funds—Fire Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7. Transfer of Funds—Fire Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

ITEM XI A WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER CANADY AND RETURNED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLUTIONS

ITEM XII A-1 WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER FORD

RESOLUTION #152

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in order to be in compliance with a 1988 Federal law entitled "The Drug Free Workplace Act," the Mayor has recommended adoption of an employment policy for providing a drug free workplace environment; and

WHEREAS, the Mayor has requested City Council to amend the City Personnel Rules for Executive Pay Plan, Non-Union, and City Council Staff employees by integrating this policy in the Rules; and

WHEREAS, the Committee on General Services has reviewed the proposed policy with the Director of Personnel, Safety and Training, and concurs with the Mayor's recommendations;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the attached "Policy and Procedures for

Providing a Drug Free Workplace Environment" as a new City policy; and

BE IT FURTHER RESOLVED the Mayor is authorized to amend the City Personnel Rules for Executive Pay Plan, Non-Union, and City Council Staff employees by integrating this policy in those Rules; and

BE IT FINALLY RESOLVED the Council requests the Mayor to ensure that the policy to provide a drug free workplace be integrated in all collective bargaining agreements with City unions.

By Councilmember Ford

Carried unanimously

CITY OF LANSING, MICHIGAN
POLICY AND PROCEDURES FOR PROVIDING
A DRUG FREE WORKPLACE ENVIRONMENT

I. Purpose and Intent

In November of 1988, the President of the United States signed into law what is commonly called the "Drug Free Workplace Act". The purpose of this policy is to implement the requirements of the Act to cover all persons who work for the City of Lansing in an employment capacity. The City acknowledges that it receives \$25,000 or more in Federal funds. It is intended that this policy will provide a drug free workplace for City of Lansing employees. It shall be the responsibility of Department Heads, Division Heads and supervision to administer and enforce the provisions of this policy.

II. Policy

The City of Lansing recognizes that substance abuse is a serious problem that may affect, now, or at some future time, the health, safety, and work performance of its employees and is dangerous for user and non-user alike. Employees may confidentially seek advice, and assistance from the City's designated Employee Assistance Provider or the Personnel, Safety & Training Department. Accordingly, it shall be the policy of the City of Lansing to maintain a drug free workplace and to:

A. Implement a drug free awareness program to inform employees of the dangers of drug abuse in the workplace;

B. Encourage employees through the use of substance abuse awareness and education programs to voluntarily seek substance abuse counseling and information on a confidential basis;

C. Authorize appropriate leaves of absence for employees to participate in rehabilitative programs, approved by the City, in accordance with City policies, procedures and applicable collective bargaining agreements;

D. Encourage the use of established community resources and the City's Employee Assistance Program (EAP) as sources of rehabilitative care for employees whose substance abuse habits have caused or contributed to job problems;

E. Address drug abuse violations in the workplace through the use of disciplinary procedures found in collective bargaining agreements, City Personnel Rules for Exempt Employees and/or the City's General Requirements.

III. Responsibility

It shall be the responsibility of all employees to understand and be familiar with this policy. Employees must abide by the intent of the Drug Free Workplace Law to ensure that the City's workplace is drug free. In accordance with the Drug Free Workplace Law:

A. Employees shall not report for work impaired or under the influence of alcohol, controlled substances, or illegal drugs, or use alcohol, abuse controlled substances, or use illegal drugs during a work shift (including paid breaks and/or unpaid meal break when employee is returning to work). Violation of this rule may be grounds for discipline up to and including discharge;

B. Employees shall not manufacture, distribute, dispense, possess, use, or bring on to City property and/or to their work area any illegal drug or controlled substance except when the controlled substance is prescribed for the employee's treatment. Violation of this rule may be grounds for discipline up to and including discharge;

C. Employees shall not manufacture, distribute, dispense, possess, use, or bring on to City property and/or to their work area any alcoholic beverage. Violation of this rule may be grounds for discipline up to and including discharge;

D. Employees shall notify supervision when taking prescribed medication, as directed by their treating physician, that may impair job performance. Violation of this rule may be grounds for discipline up to and including discharge. No employee who complies with this requirement with respect to a prescribed medication can be disciplined or required to attend an employee assistance program on account of that particular prescribed medication.

E. Felony conviction for manufacturing, distributing, dispensing, using, or possessing a nonprescribed controlled substance or illegal drug while on or off duty may be grounds for discharge. Employees must notify supervision within five (5) days following the conviction of any criminal statute violation occurring in the workplace.

RESOLUTION #153

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, WMMQ Radio has requested a special permit for relief from the noise restrictions of Chapter 654 of the City Code, in accordance with subsection 11 of the chapter, for open air entertainment each Friday from May 22, 1992, through September 4, 1992, between 11:30 AM and 1:30 PM, in the 100 Block of the North Washington Mall; and

WHEREAS, property owners within 300 feet of the area where the entertainment is to be located were notified of their opportunity to present objections to the special permit at a public hearing held March 9, 1992, before this Council, and no negative comments were received; and

WHEREAS, the Mall Advisory Board, the Mayor, and the Committee on General Services have reviewed the request and concurred in a recommendation that the special permit be approved;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves a special permit for relief from the noise restrictions of Chapter 654 of the City Code for WMMQ Radio for

open air entertainment in the 100 Block of the North Washington Mall between the hours of 11:30 AM and 1:30 PM each Friday from May 22, 1992, through September 4, 1992.

By Councilmember Ford

Carried unanimously

RESOLUTION #154

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Independent Auto Dealers Association, Inc., has requested a resolution of recognition as a non-profit organization serving the Lansing community; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the Association qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Michigan Independent Auto Dealers Association, Inc., as a non-profit organization serving the Lansing community.

By Councilmember Ford

Carried unanimously

ITEM XII B WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BROCKWELL AND RETURNED TO THE COMMITTEE ON PUBLIC SERVICE

RESOLUTION #155

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, after 18 years of service, Dr. Lola V. Jackson is retiring from the Michigan Department of Education, where she has held increasingly-responsible positions in the Vocational-Technical Education Service, including State Director since 1984; and

WHEREAS, Dr. Jackson's expertise in career and technical education programs goes beyond management of her \$65 million annual budget and 55 employees, and the Governor and State Legislature have relied on her recommendations for development of laws and administrative policies on vocational education; and

WHEREAS, in addition to membership in many professional organizations, Dr. Jackson has volunteered her time and talents as a policy-maker to benefit local community services such as Big Brothers/Big Sisters, the Capital Area United Way, and the Capital Region Community Foundation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 16th day of March, 1992, hereby honors Lansing resident DR. LOLA V. JACKSON for her outstanding service to the Michigan Department of Education, and for her many years of active involvement in our community, which have contributed to the high quality of life enjoyed by Citizens of the Capital City.

By Councilmember Canady

Carried unanimously

RESOLUTION #156

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the American Legion was organized in Paris, France, and in St. Louis, Missouri, in 1919, with membership open to all persons serving in the military during World War I; and

WHEREAS, in the years since, the American Legion has grown to more than 3 million members nationwide, including military veterans from World War II, Korea, Vietnam and the Persian Gulf, and membership in Michigan is now at 100,000; and

WHEREAS, the American Legion sponsors Boys State and Girls State to give tomorrow's leaders an understanding of state government, State Trooper Training, and several programs to help veterans and dependents receive benefits of their service to our country;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 16th day of March, 1992, hereby honors the men and women of the American Legion, on the occasion of their organization's 73rd birthday, for their outstanding service to our nation's veterans and their families.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #157

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on February 17, 1992 the City Council adopted Resolution #105 establishing the fee schedule for 1992 Senior Citizen Golf Passes; and

WHEREAS, due to an error this resolution listed an incorrect rate for Non-Resident Silver Passes.

NOW, THEREFORE, BE IT RESOLVED that Resolution #105, adopted February 17, 1992 is hereby amended to provide a fee of \$300 for Non-Resident Silver Passes.

By Councilmember Benavides

March 16, 1992

Carried unanimously

RESOLUTION #158

BY COUNCILMEMBER ALFREDA SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, ELIZABETH "LISA" MARY BARSHAW, a third grade student at Attwood Elementary School, has been chosen as the Grand Prize Winner of the 1992 poster contest sponsored by the Dairy Council of Michigan and the Michigan Dietetic Association in celebration of National Nutrition Month; and

WHEREAS, Lisa's winning poster was selected from over 1,500 entries for its creativity, originality, and simplicity in depicting this year's theme of "Healthy Eating Promotes Healthy Growth", earning Lisa an expense paid trip for four to Disney World; and

WHEREAS, in addition to being a talented artist as evidenced by her collection of State Fair Art Prizes, Lisa also participates in the Lansing School District's "Gifted, Talented, and Creative Program" offered to Lansing's most outstanding students.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 16th day of March, 1992 hereby congratulates Lisa, and her proud parents Ruth and Charles, on her winning entry; and

BE IT FURTHER RESOLVED the Lansing City Council, with great pride, recognizes Lisa as exemplifying the very best and brightest of Lansing's youth.

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING PART 2, CHAPTER 292 EMPLOYEES' RETIREMENT SYSTEM

By Councilmember Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 2, Chapter 292, Sections 292.36-292.37 adding Sections 292.38-292.39 and Renumbering Existing Sections 292.38-292.48, Providing for the Pre-funding of Post Retirement Health Care, Employees Retirement System

Was introduced by Councilmember Benavides read a first and second time by its' title and referred to the Committee of the Whole.

RESOLUTION #159 RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, March 30, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part 2, Chapter 292, Sections 292.36-292.37 adding Sections 292.38-292.39 and Renumbering Existing Sections 292.38-292.48, Providing for the Pre-funding of Post Retirement Health Care, Employees Retirement System of the City of Lansing

Interested persons are invited to attend this public hearing

Carried unanimously

AMENDING PART 2, CHAPTER 294 POLICEMEN & FIREMEN'S RETIREMENT SYSTEM

By Councilmember Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 2, Chapter 294, Section 294.02. Subsection 294.02(r) Providing for the Pre-funding of Post Retirement Health Care, Policemen and Firemen's Retirement System of the City of Lansing

Was introduced by Councilmember Benavides read a first and second time by its' title and referred to the Committee of the Whole.

RESOLUTION #160 RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, March 30, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part 2, Chapter 294, Section 294.02, Subsection 294.02(r) Providing for the Pre-funding of Post Retirement Health Care, Policemen and Firemen's Retirement System of the City of Lansing

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides a resolution to amend the previously set fee for Non-resident Senior Citizen Silver Golf Pass

HANDLED AS RESOLUTION #157

2/ From Councilmember Schmidt a resolution of tribute to the American Legion

HANDLED AS RESOLUTION #156

3/ From Councilmember Schmidt a resolution of tribute to Elizabeth Mary Barshaw winner of a State-wide Poster Contest

HANDLED AS RESOLUTION #158

4/ From Councilmember Ford a letter from Mrs. Swanson of 1612 William St. regarding problems facing their neighborhoods

REFERRED TO THE MAYOR

5/ From Councilmember Canady a resolution authorizing the sale of Land by the Board of Water and Light to Michigan Department of Transportation

REMOVED FROM CONSIDERATION AT THE REQUEST OF COUNCILMEMBER CANADY AND RETURNED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Schmidt

To excuse Councilmember Belen from tonight's proceedings

Carried unanimously

REMARKS BY THE MAYOR

Mayor McKane announced that this year's leaf and yard waste pickup will begin on March 30, 1992 and that next Monday he will present his Budget Message.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt read from a program on the Women's

Police of Michigan that Helen Perry-Buse of Lansing Police Department was named to the Criminal Justice Hall of Honor. There will be a program honoring her and her achievements at which Patricia J. Boyle will be the guest speaker.

Councilmember Ford announced a program sponsored by the South Central Neighborhood Organization, 'Friends of the Moores Park Pool' organized to revitalize the pool and park. There will be an opening day re-dedication and carnival. Membership is \$2.00 per person. More information is available by calling 484-9914. He reminded everyone that this Wednesday at 7:00 in Council Chambers will be the first meeting of the Citizens Advisory for Safe Streets. He said this Friday C-Span will move to Channel 41 full time.

Councilmember Brockwell said that at the Committee of the Whole meeting he would present a book from the Names Project written about the quilt commemorating people who have died from Aids. Council recently received a request from 'Names' requesting a donation of space at the Lansing Center to display the quilt.

Council President Crawford announced that Budget hearings will start March 26, 1992 from 3:30-5:00 and continue as follows: March 28, 9:00-5:00, April 4, April 24, April 25, and May 2 1992, from 9:00-5:00.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. spoke regarding Council's new rules, specifically rule #19. He asked why it is acceptable for Councilmembers to applaud, but not acceptable for the audience to applaud. He made personal remarks regarding Councilmember Schmidt and was cautioned by Council President Crawford that such remarks would not be tolerated; he must confine his remarks to Council as a whole.

Pauline Johnson of the Kingsley Center spoke in support of the petitions submitted requesting that the hours of operation for City Community Centers remain as they are.

Ruby Huston one of the 'Mothers of the Kingsley Center' said that it would be unfair to restrict their hours given the amount of attendance. She said parents are willing to volunteer their time to keep the Center open.

Melissa Barnard of 312 W. Rockford, member of Foster Community Center, said 37,000 people participated in their Center this year. She said centers need full hours of operation in order to impact on the kids in their communities. She added that, with the closing of the Lansing Public Library for removal of asbestos, accessibility to the Centers becomes even more important.

Jim Kaiser of 2208 Cumberland, member of the Gier Community Center, said that the large numbers of youth that attend the community centers need these opportunities and places to go where they have constructive recreations set up for them. He said it costs only six thousand dollars to keep these centers open which is a large return on a small investment.

Hugh Clark of Lansing said the Community Centers should be open even later than they are now, especially during the summer months, because the City cannot afford to have these kids out on the streets in unstructured environments. It would create problems for the City and the Police Department by exposing them to gang

members and random violence.

Douglas Fairbanks, no address given, complimented both Councilmember Canady, and Councilmember Ford.

Frank Curtis of 1137 W. Allegan said that Council needs a lesson on First Amendment rights and read a portion of the Bill of Rights pertaining to the freedom of speech.

Darnell Oldham Sr., a member of Kingsley Community Center Advisory Board, speaking on behalf of Kingsley and other Community Centers in the City said the Centers play an important part in the development of our young people and they should be kept open at least as late as they are now, if not later. Councilmember Ford reassured the petitioners from Community Centers that he is aware of the importance of these types of activities and that Council will be looking for the funds to keep the centers open past 5:00. Councilmember Benavides said that the Committees on General Services, Public Services, and Ways and Means would be waiting for the Mayor's recommendations so that they can respond to the petitioners. Councilmember Canady said they would be considering this request very strongly because it will ultimately reduce costs to the City.

Gary Andrews of 560 Brookland pointed out that Councilmembers had just used the Citizen Comment portion of the agenda in violation of Council Rule #19.

Lloyd Teets of 116 E. Elm repeated that this is the time for Citizen Comment not Council Comment and criticized Council President Crawford for allowing this behavior. He suggested that the Mayor appoint a Blue Ribbon Committee on truth in Government. He said the City amended the zoning code to allow the Volunteers of America to get their prospective property rezoned.

Harold Leeman of 529 N. Francis clarified comments he made at last weeks meeting regarding the qualifications of the Sergeant At Arms of Council meetings.

Dr. Earl T. Pauley, no address given, said that 61% of young people in the United States are suffering from some form of drug disease. He said the prevention of drug use and abuse is the responsibility of Teachers, Law Makers/Enforcers, and Politicians.

Ben Williams, no address given, spoke in support of the petition to keep the hours of the Community Centers the same. He said the Kingsley Center has an excellent staff who go out of their way to see that the many kids in their area have a place to meet. He thanked Council for giving this matter the amount of consideration it deserves.

ADJOURNED 8:45

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

97

Proceedings, March 23, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
March 23, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Mayor McKane

MAYOR MCKANE
PRESENTS FY 1992-1993 BUDGET

March 23, 1992
Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear Council President Crawford and Councilmembers:

Tonight I have the opportunity and responsibility of presenting to you my 11th annual recommended budget. This budget is by far the most difficult one I have faced in my 21 years as Lansing Mayor, and formerly, Councilmember. We look at the budget in a non-City election year, for which I am thankful, because it requires the most challenging statesmanship we as Lansing's elected officials will probably ever be called upon to provide.

My recommended budget, while continuing to address our citizens' most critical needs, is driven this year not by their wants and desires nor by what we as elected officials believe our community deserves, but by the cold hard economic facts that are our reality. Events and circumstances beyond the control of the City have reduced our expected revenues from all major revenue sources. At the same time, legal mandates, inflationary pressures and service demands have increased the costs of City operations. These circumstances have resulted in a growing gap between our revenues and our expenditures. Both the Finance Director and my special Blue Ribbon Committee have reconfirmed significant revenue shortfalls, unmet funding requirements and cost escalations for existing services. Both have said the same thing. **We must** close this gap or we will bankrupt the City in two to three years.

I want to be absolutely clear at the onset. I do not believe, nor will I recommend, that we can close the gap solely or even primarily on the revenue side. While there are some revenue sources that we must address, they are in no way sufficient to maintain even our current level of services, and I **will not** recommend an increase in the property tax rate.

Economic Condition and Revenue Outlook

The economy at the local, state and national levels continues to reflect the recession's impact and little, if any, visible recovery. Since Lansing's two major employers are General Motors and the State of Michigan, it should come as absolutely no surprise to anyone that Lansing is faced with serious fiscal difficulties. Historically, one or the other of these two major employers has been stable or increasing when the other was cutting back. Now both, as well as many smaller employers, are going through clearly announced and prolonged cutbacks. We have no capacity to offset those impacts and, in fact, find service demands on the City have increased as a result of those same cutbacks.

Other major sectors in our local economy also reflect the state and national economic downturn. Construction activity has fallen drastically. Sales of homes have been very depressed, and vacancies in commercial space continue to rise. These conditions hurt both the current revenue coming into the City and portend continuing difficulties for the foreseeable future.

As a central City, we have relatively high service levels, not only for our own residents but to meet the requirements for those coming into the City for business or pleasure. However, unlike surrounding smaller communities, our tax base is not growing rapidly either from new construction or increases in values for existing properties. The impact on property tax revenues is clear.

We are also faced with the State's legislatively enacted property tax assessment freeze for 1992 and at least three constitutional property tax limitation proposals on the November 1992 ballot. Property taxes represent over 29% of our General Fund revenues; no significant growth is a certainty, and actual decline may face us as the voters decide on the ballot proposals.

As the Finance Director has reported to you on several occasions, our income tax collections have *fallen* for the past two years. Income tax collections represent another 27% of our General Fund revenue. The combined impact of the property assessment freeze and falling income tax collection puts our revenues from these two sources *below* last year's level despite inflation of nearly 10% over the last two years. **And there is no relief in sight.**

These economic facts force us to evaluate unpalatable and often very painful alternatives. I have already stated that I will not propose an increase in the property tax rate. I, after consultation with you, have entered into negotiations with several other public entities to effect changes in cost distributions and economic returns for general City operations. However, these measures will not be sufficient to resolve our financial problems even if we are able to fully achieve all our desired goals. The problems we must address are simply too deep.

Nor can we look to the State of Michigan for any significant relief. Not only is the State reducing its own work force through attrition and early retirements, with obvious impacts to Lansing's tax collections; the State has also been forced to deal with its budget shortfalls by numerous cuts. Some of those cuts further affect

Lansing very negatively. The reductions in State Shared Revenue payments cut into the growth we should otherwise have received from that source, the third major revenue component of the General Fund.

State Shared Revenues total almost 20% of our General Fund. The combination of property taxes, income taxes, and State Shared Revenues equal 76% of our available revenues. The remaining numerous small revenue sources also show the recession's negative impacts. As I have shown, the deflationary factors affecting each of these sources have cut our revenues due to circumstances we could not control.

But the fact that we cannot control the revenue limitations is irrelevant to the requirement that we respond to their impacts. I have provided the background so that citizens will understand that you and I did not choose actions that necessitate the difficult and often very painful recommendations I make tonight. We, however, *must* address the problems that have resulted. We must be prepared to take decisive steps that do not promise what cannot be afforded nor delude ourselves or our citizens that we can continue the service levels we have all enjoyed in the past with the revenues the City now receives. To paraphrase something the Finance Director has said repeatedly, a \$1,000 in taxes cannot buy \$3,000 in services. We must bring economic reality to the fore, or we will leave a legacy of ruin to our children.

Recommended Budget

Tonight, I am recommending to you a General Fund Budget of \$77.4 million and continuation of a property tax rate of 17.9 mills. This budget is an increase of only 1.2% from that adopted last year. After adjusting for the retroactive arbitration award for the non-supervisory police, the budget represents *zero* growth from the current base and, after factoring in inflation, is a cutback of more than 5% from the funding necessary to continue this year's already constrained service levels.

I want to say clearly here and now that in this budget we cannot address our needs and desires in many areas. I, with my staff, with you, and with citizen groups and other governmental units, am striving to provide alternatives to address those unmet needs and desires.

However, in the interim, we must cut spending down to the levels of our revenues. We experienced a \$1.5 million operating deficit last year. The Finance Director tells us to expect another operating deficit for the current year and, without major reductions, a \$4.6+ million deficit next year. I am, therefore, proposing a major reduction in our white collar work force to cut costs. I propose to eliminate 50 white collar positions or approximately 12% of our white collar work force (managerial, professional and clerical/technical) within twelve months from today.

As elements of the white collar reduction in force (R.I.F.) must be handled through the required labor contract process, I will not detail all my plans tonight. However, I am committed to two outcomes. First, I want to make any reductions in the most humane, mutually acceptable manner possible under the circumstances. Second, I *will* make the needed reductions. But please bear in mind that while this will buy time to develop a long-range strategic plan, *these major cuts will not make money available for other spending; they will simply reduce our operating deficit.*

Following completion of the reduction in force, I will be implementing several functional realignments and proposing some added reorganizations. More may result following completion of a strategic plan. As there are again contractual issues involved, I will not detail these plans until the requisite preliminary steps are completed. But be aware here and now, there *will* be many visible service reductions because we are not cutting fat, we are cutting into the meat. Were our revenue picture not so bleak, I would not even consider some of the reductions we are now forced to make.

Each operation in the City will be affected by our revenue constraints. My recommended budget reflects cuts in appropriations from the FY 92 original budget by approximately 10% in virtually all areas except public safety. Because public safety comprises such a large portion of the budget, more than 50% I have had even there to make small reductions of approximately 2%.

I have instructed each department head that he or she has the responsibility to live within our revenue limits and to establish as their twin priorities continuation of their most crucial functions and maintaining net revenue-producing or cost-containment activities. These parameters will require each of us to recognize that the appropriations are not cash and that, as the Finance Director has indicated, making an appropriation does not provide the cash to pay for it. If net revenue-producing activities and cost-containment functions fall away, we will have even less funding available for provision of those other crucial services we are committed to providing, forcing a continuing downward spiral. This we cannot afford.

I have instructed my labor negotiating teams to make sure that these economic realities are also clear in upcoming negotiations. We already have settlements in place with the Firefighters, the Teamsters and for Exempt and executive personnel which provide zero salary increase for the next fiscal year. If we had not succeeded in achieving these settlements, our reductions would have necessarily been even more severe.

We need to work cooperatively to reduce in light of our resource constraints. We will continue to work with our employee labor groups to work out ways to cap costs, to help preserve jobs and service levels as much as we possibly can, and to make reductions in the least disruptive, most constructive way possible. To achieve this, I need your support both for the necessary steps to make the reductions and in realistically recognizing that we are not able to do all that we want and need for our citizenry.

Infrastructure

There is complete agreement between you, me, my special Blue Ribbon citizen's committee and the department heads that we are faced with potentially devastating infrastructure problems. The \$176 million combined sewer overflow project mandated by EPA, as well as the myriad demands for road repairs and improvements, critical bridge repairs, sidewalk repairs and major maintenance needs of the City's buildings and properties could easily absorb 100% of our budget for the next several years. Unfortunately, our daily public safety services, regulatory functions and revenue collection activities already are, as outlined above, outstripping our revenues.

While we do put monies into our infrastructure each year including \$31.9 million from all sources for street improvements, \$4.3 million

in parks improvements, \$3.5 million in new or improved technology, \$1.2 million for fire apparatus, \$2.8 million for parks equipment in the last five years, still we are falling further and further behind. The needs and costs for these things have escalated much faster than our ability to address them. In my recommended budget, I have included \$1,700,000 from Act 51 funds for street, road and bridge improvements, with \$1,000,000 contingent on legislative approval. I have continued dedication of the one mill of general fund tax levy —\$1,500,000— for voter approved improvements to our Parks infrastructure, \$106,000 for health and safety improvements to City buildings and properties and \$400,000 for parks and \$159,000 fire equipment.

Even with these allocations, we will still lose ground. The General Fund cannot support the needed level of infrastructure improvements, including needs for major capital equipment such as new fire rigs, police and parks vehicles, and additional computers, unless we make draconian reductions in our entire operating budget including public safety. Solving one problem by creating another of equally serious proportions isn't the answer.

We must look to alternative financing strategies as well as continuing to dedicate portions of existing revenues to infrastructure. But like any other older industrial core city, we are fighting an uphill battle. Our infrastructure is not only old; it was built long before modern technology and current environmental requirements existed. To bring our infrastructure up to current standards and available technologies is a dauntingly expensive goal. If we are to achieve it, it can only be done by real cooperative efforts of myself, you, the business community, general citizens and other levels of government. It's easy to make sure something doesn't work and it's easy to point fingers of blame. The hard task is to rise above that and actually solve the problems. I know we can do it; my only question is *will* we?

Strategic Planning

We have talked about the need to have a strategic plan if we are going to be able to address the challenges that face us. My special Blue Ribbon Committee has, in a short time, looked at our immediate situation with us. We need to expand that process to develop a comprehensive strategic plan which will help us to work mutually with representatives of the community, business and other governmental units to develop a *viable plan*. To this end, I have recommended \$100,000 for a facilitator who will work with the City and community leaders to develop just such a plan.

Potter Park Zoo

One major bright spot in an otherwise depressing vista is the rejuvenation of Potter Park, both the zoo and the park itself. We all know the sorry state the zoo was in only a few years ago. It is now a widely recognized regional attraction.

Surveys of zoo visitors report that they expect us to assure continued care and improvements in the zoo and that they support an admission fee if necessary to provide that care. Lansing residents recognize that the Potter Park Zoo is special and that it takes money to operate it. The zoo fee for non-residents is a great bargain but it is not sufficient to support the zoo. Yet the General Fund is not able to continue an increasingly large subsidy. Therefore, the Parks Board, Parks and Zoo Directors recommend that the fee apply to everyone with the option of a discount pass for frequent visitors. The Parks Director recommends to me that this

charge be effected this Spring and I make that recommendation to you.

Conclusion

Lansing is at a critical juncture. We can face reality, do what needs to be done and preserve Lansing's future, or we can pretend that palliatives, platitudes and tiny changes will be enough. Many elected officials are counselled to put off painful actions until "after the next election". There is *always* a next election. We must trust that we can adequately explain the realities and that our voters are intelligent enough to recognize and respect that those realities require painful actions. If we don't trust ourselves and our citizens enough to meet these challenges, we *can* guarantee that in five to ten years Lansing will not be a *community*; it will be only a daytime location for government and commerce. It will not be the vibrant, safe and thriving core community for children, neighborhoods, visitors, businesses and government that we hope and pray it will remain.

My proposed budget, and the other actions I spoke of will combine to move us toward that continued vitality. I ask your support to achieve it.

Yours truly,

Terry J. McKane, Mayor

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt a letter from the law firm of R. Bruce Carruthers regarding transfer of Class C Liquor License for Nappy Enterprises, Inc.

2/ From Councilmember Ford a letter from Cynthia Stajor of K Realty Inc. regarding the Seven Block Development Plan

3/ From Councilmember Ford a resolution of tribute to Ella M. Ford

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of the application of a State of Michigan Recreation Bond Fund for play equipment and ancillary facilities for the following parks; Beck, Comstock, Davis, Durant, Forest View, Frances, Fulton, Georgetown, Gier, Hillborn, Hunter, Ingham, Kendon, Marscot, Munn, Porter, Potter, Riverfront (2), Tecumseh and Washington

There were no speakers for this public hearing

B. For the purpose of receiving comments on a proposed ordinance to approve the Seven Block Area Development Plan

Eleanor Love from the City of Lansing's Planning and Municipal Development Department along with Diane Clark, Chairperson of the Seven Block Area District Citizens Council presented the Seven Block Area Development Plan.

Joel Ferguson of 1341 Cambridge said that he does not feel the plan is realistic for this area.

Paul Novak, President of Westside Neighborhood Association spoke in support of the plan, saying it is a reasonable plan.

Hulon T. Benson of 1018 W. St. Joe said this plan makes the area a neighborhood.

Frank Curtis of 1137 W. Allegan said that he felt a grocery store was not viable for the area.

Vanessa Cunningham Sanders of 901 Clayton spoke on behalf of her parents who live in the area, and who support the plan.

Jacqueline Warden, Vice President of the Seven Block Area District Citizens Council spoke in support of the plan.

Richard Baker, Secretary of the Westside Neighborhood Association spoke in support of the plan.

Ken Brock of 427 Westmoreland, member of the Westside Neighborhood Association spoke in support of the plan saying it was cost effective.

Raymond Moore of 5550 W. Mall Dr. spoke in support of the plan.

Gary Underwood, Deputy Director of the Department of Transportation, and owner of property in the area spoke in support of the plan.

Emerson Ohl, Director of the Economic Development Corporation said that tax increments from Capitol Commons come into community development block grant funds.

Melvin Jones, Pastor of Union Missionary Baptist Church urged Council to support the plan saying it was a plan that "invests in people."

Harry Davidson of 2404 Kurbitz spoke in support of the plan.

Johnny Elias, no address given, spoke in support of the plan.

PUBLIC COMMENT

There were no public comments

SPECIAL CEREMONIES

Mayor McKane presented the Distinguished Budget Presentation Award from the Government Finance Officers Association to Jan Lazar, Budget Director

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That communications and petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter from Tri-County Regional Planning Commission submitting an amendment to Eaton County 641—Solid Waste Management Plan

RECEIVED AND PLACED ON FILE

B. Letter from South Central Neighborhood Organization recommending the sale of land at the former Diamond Reosite to Capital Area Community Services

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. Claim of Gary A. Ernst of 1280 Sunview Drive #4, St. Johns, MI in

the amount of \$527.20 for special assessments against his property at 619 Baker

REFERRED TO THE CITY ATTORNEY

D. Claim of Rosalie M. Allen of 5859 Haag Rd. in the amount of \$5,323.40 for special assessments against her property at 920 N. Chestnut

REFERRED TO THE CITY ATTORNEY

E. Letter from John D. Teller, a registered voter of the city of Lansing, protesting State laws governing voting procedures used in the 1992 Presidential preference primary held March 17, 1992

REFERRED TO THE CITY CLERK

F. Freedom of Information Act request from Lloyd Teets of 116 E. Elm for a video tape of the Council proceedings of October 21, 1991

REFERRED TO THE CITY ATTORNEY

G. Letter from the Lansing Neighborhood Advisory Board announcing the Seventh Annual Neighborhood Watch Picnic at Francis Park on May 19, 1992

RECEIVED AND PLACED ON FILE

H. Letter from Gary R. Andrews of 560 Brookland Boulevard regarding Citizens rights and Council rules

REFERRED TO THE COMMITTEE OF THE WHOLE

I. Petition for rezoning, Z-4-92, at 4301 S. Pennsylvania from "E-2" to "F-Commercial" from Chris Baryames of 1731 Nottingham Rd.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

J. Request for non-profit status from the Michigan Hispanic Cultural/Art Association of Lansing

REFERRED TO THE CITY ATTORNEY

K. Request for Special Land Use, SLU-5-92, from Gary Helfman for his property at 330 Cloverlawn to allow him to construct a parking lot for nine cars associated with his business at 4916 S. Cedar

REFERRED TO THE MAYOR AND THE PLANNING BOARD

L. Letter from the Capital Area United Way regarding their relationship with the National Association

RECEIVED AND PLACED ON FILE

MAYOR'S COMMENTS

Mayor McKane reviewed his letters on tonight's agenda

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #161

March 20, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely

processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: John S. Ford, Harley H. Hatcher, Steve Reeser Associates, Benjamin J. Glandon
 BUILDING WRECKER: Pendergast Excavating, Garry's Asphalt, Pitsch Wrecking Company, G.L. DePue & Associates, Inc.
 ICE CREAM PEDDLER: Summer Song Inc.
 PUBLIC DRIVER: D. Bruce Merrill, Joan Lou Krueger
 SECOND HAND DEALER: Steven J. Shaver
 SIGN ERECTOR: Bill Carr Signs, Inc., Johnson Sign Co., Jan Signs Inc., Adams Outdoor Advertising, Cecil Marr Electric, Sign Art, Inc.
 VEHICLES FOR HIRE: Royal Treatment Limousine

Sincerely,
 James D. Blair, City Clerk
 City of Lansing, MI

By Councilmember Benavides

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 16, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. RESOLUTION #162

TO: Council President James Crawford and City Councilmembers
 FROM: Terry J. McKane, Mayor
 DATE: March 19, 1992
 SUBJ: Trash Violation Fee (V-24)—\$1,646.41

The attached list of trash violation/assessment fees is submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

2. Public Improvement II, Jolly Road Reconstruction P.S. #78015

REFERRED TO THE COMMITTEE ON
 PHYSICAL DEVELOPMENT

3. Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA)

RECEIVED AND PLACED ON FILE

4. Child Health Services Provided by Ingham County Health Department

RECEIVED AND PLACED ON FILE

5. Recovery Action Program (RAP) for City of Lansing—Letter from U.S. Department of Interior Stating that Requirements have been met as Outlined in the Urban Park and Recreation Recovery (UPARR) Act of 1978 (Public Law 95-625) and Established Criteria

of UPARR Administration Guideline (Chapter 3)

RECEIVED AND PLACED ON FILE

6. Extension of Sanitary Sewer Service for 2926 W. St. Joseph in Lansing Township

REFERRED TO THE COMMITTEE ON
 PHYSICAL DEVELOPMENT

7. Seven Block Area Development Plan

REFERRED TO THE COMMITTEE ON
 PHYSICAL DEVELOPMENT
 AND THE PLANNING BOARD

COMMITTEE REPORTS

RESOLUTION #163

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the Park Board's Annual Evaluation of the Parks and Recreation Department,

REPORTS AS FOLLOWS: The Committee met with Board Chairperson George Harlow and Department Director Eric Reickel to review the written report. In general, the Board is pleased with the Department's operations. The Board fully expects the Mayor and Council to fulfill their promise to use revenue from the Parks millage solely on the improvement and development of the Lansing Park System. The Board praised Council Resolution #518 of 1990, which set policy on how the funds shall be used and reviewed. One item of Committee interest was the Board's recommendation to terminate the City's Grand Woods Park lease agreement with Delta Township, and place a ballot issue before voters to turn the park over to the township on the condition that it remain parkland. The Committee hopes the Mayor will comment on this recommendation in his budget message. Board Chairperson Harlow also raised the issue of administrative costs charged to enterprise funds such as the Potter Park Zoo and the Municipal Golf Program. He said these costs prevent the programs from using their revenue to make needed improvements. It was suggested that the Board invite the City's Indirect Cost Plan consultant to one of their meetings for a presentation on why administrative costs are charged to enterprise funds, and how the amounts are computed. The Board might then have the opportunity to question the charges. This report is for information only, and no Council action is required.

Signed: Charles Ford
 Alfreda Schmidt
 Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #164

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the proposed ordinance to amend Part Ten of the Lansing Code of Ordinances for the purpose of revising procedures regarding special assessments,

REPORTS AS FOLLOWS: The Committee recommends adoption of the ordinance.

By Councilmember Canady

Carried unanimously

RESOLUTION #165

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred a copy of the Police Chief's response to Betty Tsang, who had complained to the Council about speed traps created by the police,

REPORTS AS FOLLOWS: In August 1991, Chief Boles responded to an earlier letter from Ms. Tsang addressed to the Police Department. He reviewed her speeding ticket history, noting that only two of four tickets on her record were issued by Lansing Police. He also advised her that the department has strict policies against harrasment based on sex or race, and invited her to visit the department for further discussion. He has seen no response to his letter. The Committee agrees with the Chief that his letter was an adequate response to her complaint. This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
James Crawford
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #166

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the annual report by the Board of Fire Commissioners,

REPORTS AS FOLLOWS: The Committee reviewed the report with Fire Chief Sam Hopkins. The Board expressed great confidence in the administration of the Department and praised its overall performance. The Committee shared the concern expressed by the Board regarding the age and condition of front line apparatus. The Board noted 10 incidents thus far this year in which apparatus have failed in attempting to respond to an alarm, causing the need to divert other apparatus to respond and therefore losing valuable time. The Committee suggests a full discussion of this situation during FY93 budget hearings. This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
James Crawford
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #167

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the annual report by the Board of Police Commissioners,

REPORTS AS FOLLOWS: The Committee reviewed the report with Police Department Assistant Chief David Sinclair. The Board commended the administration of the Department and praised its overall performance. The Committee discussed the statistical information contained in the report, and recommends that each Councilmember also review this information as a concise log of the police department's workload and services provided. This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
James Crawford
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #168

PUBLIC IMPROVEMENT I

By Committee on Physical Development

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That it is hereby determined to be a matter of public health and necessity to construct a sanitary sewer at the following location:

Benton Boulevard, from Delta River Drive to Wilson Avenue

AND FURTHER, that the estimated cost of this project shall be financed by special assessment to the property owners and the City's share from Account 590-453670-973000-20100.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby directed to prepare the necessary plans and specifications for these improvements, estimate in detail the cost of the said project, and furnish said information to the Mayor and City Council.

By Councilmember Canady

Carried unanimously

RESOLUTION #169

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is required to implement a Combined Sewer Overflow Control Program; and

WHEREAS, the City intends to apply for low interest loans from the State of Michigan Revolving Loan Fund Program; and

WHEREAS, the application for these loans requires the City to designate an authorized representative for the program;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Public Service Department is hereby designated as the City's authorized representative for the Combined Sewer Overflow Program.

By Councilmember Canady

Carried unanimously

RESOLUTION #170

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners has proposed Mr. Richard Climer of Lansing for appointment to serve on the Community Corrections Advisory Board to represent the business community for the remainder of the vacant term expiring on December 31, 1993; and

WHEREAS, the Committee on Public Safety has interviewed Richard Climer, found him to be well-qualified and eager to serve on the CCAB, and recommends that the Council approve his appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 23rd day of March, 1991, hereby approves the appointment of Richard Climer to the Community Corrections Advisory Board, to fill the vacant business community representative seat for a term to expire December 31, 1993; and

BE IT FURTHER RESOLVED the Clerk is directed to forward a copy of this resolution to the Ingham County Board of Commissioners.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #171

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, ELLA M. FORD is the 1992 recipient of the Sojourner Truth Award for her dedication to the people of this community; and

WHEREAS, Mrs. Ford's activities include Prince of Peace Baptist Church, where she is a member and Trustee, Lansing Educational Advancement Foundation charter member, past president of elementary and secondary PTAs, Black Child and Family Institute, member of the Political Action Committee of the Pastors' Conference of Greater Lansing, Coalition for Community Concerns member, and past president and treasurer of the Les Meres Debutante; and

WHEREAS, Mrs. Ford has worked for the Lansing School District for more than 20 years, beginning as a library aide, later serving as a classroom assistant, and for the past several years has been a computer instructional support specialist in the Lansing Adult and Continuing Education Department, from which she herself graduated prior to earning an Associates Degree in Business from Lansing Community College; and

WHEREAS, her career in education and her involvement in community activities created many full days (and nights) over the years as Mrs. Ford and her husband Julius raised their four children;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 23rd day of March, 1992, hereby commends ELLA M. FORD for her outstanding service to the People of the City of Lansing and her dedication to the ideals represented by the Sojourner Truth Award.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Canady

That we proceed to the passage of Ordinances.

By Councilmember Canady

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to amend Part Ten, Chapters 1020, 1024, and 1026 of the Code of Ordinances of the City of Lansing relative to special assessments be placed on order of immediate passage.

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan to amend Part Ten, Chapters 1020, 1024, and 1026 of the Code of Ordinances of the City of Lansing relative to special assessments be now passed.

YEAS: Councilmembers Beal, Belen, Brockwell, Canady, Crawford, Ford, Schmidt, Benavides

NAYS: None

ABSENT: None

ORDINANCE NO. 850

AN ORDINANCE TO AMEND PART 10, CHAPTER 1020 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN BY AMENDING SECTION 1020.02 TO ALLOW THE COUNCIL TO DETERMINE BY RESOLUTION OR ORDINANCE THE PORTION OF THE EXPENSE OF AN IMPROVEMENT THAT IS TO BE ASSESSED TO ADJACENT PARCELS.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 1020.02 of the Codified Ordinances of the City of Lansing, Michigan, be amended to read as follows:

1020.02 POWERS OF CITY RE IMPROVEMENTS; ASSESSMENTS.

(a) The City may:

(1) Cause bridges, wells, pumps and reservoirs to be built in any part of the City;

(2) Improve, maintain or construct any right of way, or any part thereof, by grading, ditching, curbing, graveling, paving, draining or repairing, and by covering the same or any part thereof with a suitable paving material; and

(3) Provide for the construction and maintenance of sidewalks.

(b) Whenever Council orders improvements that are mentioned in this section, it may determine, by resolution OR ORDINANCE, that the whole or some portion of the expense of any such improvement shall be borne by the owners of adjacent parcels of land. In such a case, the procedure to be used to assess the cost of such improvements shall be that set forth in Chapter 1026.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

AN ORDINANCE TO AMEND PART 10, CHAPTER 1024 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN BY AMENDING SECTION 1024.07 TO MAKE CLEAR THAT THE DEPARTMENTAL ADMINISTRATIVE EXPENSE ATTRIBUTABLE TO A SIDEWALK IMPROVEMENT PROJECT IS TO BE INCLUDED IN THE COST AND EXPENSE TO BE ASSESSED; TO

MAKE CLEAR THAT THE ASSESSMENT IS TO BE DETERMINED ON A PRO RATA BASIS ACCORDING TO SQUARE FOOTAGE; AND TO OTHERWISE REVISE, UPDATE AND CLARIFY THE LANGUAGE IN SAID SECTION.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 1024.07 of the Codified Ordinances of the City of Lansing, Michigan, be amended to read as follows:

1024.07 CONSTRUCTION AND REPAIR EXPENSES

IF THE CITY SHALL CAUSE THE SIDEWALK TO BE CONSTRUCTED OR REPAIRED IN ACCORDANCE WITH THE RESOLUTION OF COUNCIL, THE EXPENSE OF SUCH CONSTRUCTION OR REPAIR, INCLUDING THE COST AND EXPENSE OF DEPARTMENTAL ADMINISTRATION ATTRIBUTABLE TO THE SIDEWALK IMPROVEMENT PROJECT OF WHICH A PARTICULAR PARCEL IS A PART, SHALL BE ASSESSED AND LEVIED UPON THOSE PARCELS OF LAND ABUTTING OR ADJOINING THE RIGHT OF WAY OR PUBLIC PROPERTY WHEREIN THE SIDEWALK IS CONSTRUCTED OR RECONSTRUCTED AND UPON THE OWNER THEREOF IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN CHAPTER 1026; PROVIDED, HOWEVER, THAT SUCH SIDEWALK IMPROVEMENT AND ADMINISTRATIVE COST AND EXPENSE SHALL ALSO BE ASSESSED IN ACCORDANCE WITH THE FOLLOWING:

(a) THE ASSESSMENT SHALL BE MADE ON THE PRO RATA SHARE BASIS THAT THE SQUARE FOOTAGE OF THE SIDEWALK CONSTRUCTED OR REPAIRED IN FRONT OF OR ADJACENT TO EACH PARCEL BEARS TO THE SQUARE FOOTAGE OF THE WHOLE PROJECT.

(b) ASSESSMENT SHALL BE FOR ONE HUNDRED PERCENT OF THE PRO RATA SHARE FOR NEW CONSTRUCTION OF A SIDEWALK OR FOR REPAIR OF A SIDEWALK DETERMINED BY THE DIRECTOR OF PUBLIC SERVICE, OR DESIGNEE, TO HAVE BEEN WILLFULLY OR NEGLIGENTLY DAMAGED BY THE ABUTTING OR ADJOINING PARCEL OWNER OR HIS OR HER TENANTS, GUESTS OR AGENTS.

(c) ASSESSMENT SHALL BE FOR FIFTY PERCENT OF THE PRO RATA SHARE FOR REPAIR OF EXISTING SIDEWALK DETERMINED BY THE DIRECTOR, OR DESIGNEE, TO HAVE BEEN DEFECTIVE DUE TO NATURAL DETERIORATION OR AGING.

(d) NO ASSESSMENT SHALL BE MADE AGAINST THE PROPERTY OWNER FOR REPAIR OF ANY SIDEWALK DAMAGE MADE BY A TREE LOCATED WITHIN THE RIGHT OF WAY OR BY SUCH TREE'S ROOTS OR FOR DAMAGE MADE BY ANY DIRECT ACTION OF THE CITY.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

AN ORDINANCE TO AMEND PART 10, CHAPTER 1026 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN BY AMENDING SECTIONS 1026.03, 1026.06, 1026.07 AND 1026.09 TO CLARIFY THE CITY'S ASSESSMENT PROCEDURE FOR PUBLIC IMPROVEMENTS; TO ELIMINATE UNNECESSARY OR OBSOLETE LANGUAGE, AND TO OTHERWISE REVISE AND UPDATE THE LANGUAGE IN SAID SECTIONS.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 1026.03 of the Codified Ordinances of the City of Lansing, Michigan, be amended to read as follows:

1026.03 ASSESSMENT OF EXPENSE.

Whenever Council orders the construction of a mall, promenade or any OTHER public improvement according to this chapter and

does not determine by resolution that the whole or some portion of the expense of any such public improvement shall be defrayed by the City or ward, then such expense shall be assessed and levied upon the lots, premises and subdivisions thereof which are in front of, ADJACENT TO, or within the district described as especially benefiting from the mall, promenade or other public improvement that may be ordered by Council.

Section 2. That Sections 1026.06 and 1026.07 of the Codified Ordinances of the City of Lansing, Michigan, be amended to read as follows:

1026.06 ASSESSMENT PROCEDURE.

The assessment procedure for public improvements shall be as follows:

(a) **Estimating and Apportioning Cost; Petition for Grading Street.** Whenever Council determines that the whole or any part of the expense of public improvements shall be defrayed by an assessment on the lands to be benefited thereby AND TO OWNERS OF OR PARTIES IN INTEREST THEREOF, it shall declare the same by an entry in its minutes. After ascertaining, as it may think proper, the estimated OR FINAL expense of such improvement, Council shall declare by any entry in its minutes whether the whole, or what portion thereof, shall be assessed to such owners OR PARTIES IN INTEREST specifying the sum to be assessed and the portion of the City which it deems to be benefited by such improvements.

The cost and expenses of making estimates, plans and assessments incidental thereto shall be included in the estimated expense of such improvement.

(b) **Assessing Costs; Assessment Roll.** Pursuant to the order of Council, the City Assessor shall make an assessment ROLL FOR THE lands within the portion of the City so designated SHOWING the amount of expense, in case of construction of sewers and drains or of the opening of streets or alleys, OR ANY OTHER IMPROVEMENT EXCEPT AS HEREAFTER PROVIDED IN THIS SUBSECTION, in proportion as nearly as possible to the benefits which each person is deemed to acquire by the making of such improvement, and in case of grading, graveling, paving and all other street improvements, according to foot frontage. The Assessor shall make out an assessment roll in which shall INCLUDE the names of THE OWNERS OR PARTIES IN INTEREST OF SUCH LANDS AS SHOWN FROM THE ASSESSOR'S RECORDS, the description of the property assessed, and the amount assessed to each respectively.

In case any lot or parcel of real estate belongs to a nonresident OWNER OR PARTY OF INTEREST, or the owner OR PARTY OF INTEREST is unknown, the same shall be entered accordingly, with a description of such lot or premises, as is required by law in assessment rolls made by THE CITY ASSESSOR with the amount assessed thereon THE assessment roll shall be subscribed by THE CITY ASSESSOR and returned within two weeks to Council unless such time is extended by resolution of Council.

(c) **Hearings on Assessment Roll.**

(1) UPON THE MAKING AND FILING OF THE ASSESSMENT ROLL, AS REQUIRED IN SUBSECTION (b), COUNCIL SHALL HOLD A PUBLIC HEARING BEFORE THE ROLL IS CONFIRMED. THE CITY CLERK SHALL CAUSE NOTICE OF THE PUBLIC HEARING TO BE PUBLISHED, NOT MORE THAN 20 DAYS AND NOT LESS THAN 10 DAYS BEFORE SUCH HEARING, IN A DAILY NEWSPAPER OF THE CITY. THE NOTICE SHALL CONTAIN:

A. THE TIME AND PLACE OF THE HEARING;

B. A DESCRIPTION OF THE SECTION OR AREA OF THE

CITY DETERMINED BY COUNCIL TO BE WITHIN THE ASSESSMENT DISTRICT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL;

C. WHERE THE SPECIAL ASSESSMENT ROLL IS ON FILE AND MAY BE EXAMINED;

D. THAT ANY PERSON AGGRIEVED BY THE ASSESSMENT AS CONTAINED IN THE SPECIAL ASSESSMENT ROLL OR THE NECESSITY OF THE IMPROVEMENT, MAY FILE A WRITTEN OBJECTION THERETO WHICH MUST BE DELIVERED TO THE CITY CLERK PRIOR TO THE CLOSE OF THE HEARING OR THE PERSON MAY APPEAR AND PROTEST THE SAME AT THE PUBLIC HEARING IN PERSON OR BY HIS/HER REPRESENTATIVE;

E. THAT THE APPEARANCE AND PROTEST OR WRITTEN PROTEST IN THE MANNER DESCRIBED IS REQUIRED IF THE PERSON DESIRES TO APPEAL THE AMOUNT OF THE ASSESSMENT TO THE MICHIGAN TAX TRIBUNAL; AND

F. THAT ANY APPEAL TO THE MICHIGAN TAX TRIBUNAL MUST BE TAKEN WITHIN THIRTY DAYS OF THE CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, PROVIDED A PROTEST WAS TIMELY MADE.

(2) In addition, the Clerk shall give notice of hearings in special assessment proceedings to each owner of, or party in interest in, property to be assessed, whose name appears upon the last local tax assessment records, by first class mail addressed to such owner or party at the address shown on the tax records, at least ten days before the date of such hearing. As used in this section, "last local tax assessment records" means the last assessment roll for ad valorem tax purposes that has been reviewed by the local board of review, as supplemented by any subsequent changes in the names and addresses of owners or parties listed thereon. NOTICE GIVEN UNDER THIS SUBSECTION SHALL COMPLY WITH ANY MANDATORY STATUTORY PROVISION GOVERNING THE SAME.

(3) Where any person claims an interest in real property whose name and correct address do not appear upon the last local tax assessment records, he or she shall be obligated to file immediately his or her name and address with the City Assessor AND TO PROVIDE EVIDENCE ACCEPTABLE TO THE CITY ASSESSOR THAT HE OR SHE IS ENTITLED TO BE TAX PAYER OF RECORD. The Assessor shall immediately enter on the local tax assessment records any changes in the names and addresses of owners or parties in interest filed with him or her and shall at all times keep such tax assessment records current, complete and available for public inspection.

(4) On the day appointed for the hearing and on such other days as the hearing may be adjourned to, Council shall RECEIVE ALL WRITTEN PROTESTS AND hear the allegations and proofs of all persons who APPEAR AND PROTEST the assessment. COUNCIL may rectify and amend such assessment ROLL in whole or in part, or may set such ROLL aside and direct a new assessment, either by the same person or by such other person as Council appoints for that purpose. In such case, the same proceedings as are herein provided for the first order of assessment shall be conducted for the new assessment, or Council may ratify and confirm such assessment ROLL without any corrections or with such corrections therein as it may deem proper.

(d) Correction of Deficient or Excessive Assessment. If THE ESTIMATED EXPENSE OF THE IMPROVEMENT WAS USED TO ESTABLISH THE SPECIAL ASSESSMENT AND THE special assessment proves insufficient to pay for the improvement or work

for which it was levied, and for the expenses incident thereto, Council may, within the limitations prescribed for such assessments, make an additional pro rata assessment to supply the deficiency. If a larger amount is collected than is necessary, the excess shall be refunded ratably to those by whom it was paid.

(e) Liens on Property for Assessments. When any special assessment for public, local or other improvements, or for any other purpose authorized by ordinance, has been made, as provided in this chapter, and the tax roll for such assessment is delivered to the City Treasurer for collection, the assessment shall be a lien upon the premises upon which it was assessed from and after the date of the warrant for the collection thereof. The Treasurer may levy on and collect such tax from any personal property in the possession of the person charged with such tax, OR in ANY OTHER manner PERMITTED by law. IF THE ASSESSMENT IS NOT PAID, the Treasurer shall, within five days after the time prescribed by the warrant for the collection thereof has expired, make a report to the City Clerk of the sum and interest, as the case may be, due and so remaining unpaid, which has not been collected, together with a description of the premises assessed for such unpaid taxes. The Clerk, within five days thereafter, shall, in like manner, notify the City Assessor of the amount of such taxes, and the description of the premises assessed and charged with such tax, who shall assess such unpaid taxes on such premises, in the tax roll of the proper ward next thereafter to be made.

Real property exempt from taxation by law shall nevertheless, with or without valuation, be subject to taxation for special improvements, the same as other property. Such tax or taxes shall then be levied, collected and returned, and the premises may be sold or forfeited for nonpayment of the ordinary City taxes.

(f) Interest-Bearing Notes for Street Paving Taxes. Council may direct and authorize the Mayor to issue and negotiate for and on behalf of the City, interest-bearing notes, WITH INTEREST AT MARKET RATES AND AS SHALL BE PERMITTED BY LAW, free of taxation, for the aggregate amount of any paving taxes, the time for the payment of which has been extended beyond the year of the date of the original warrant for their collection. Such notes shall be made payable at the office of the City Treasurer and fall due at such times as Council shall determine such taxes can be collected, and the proceeds of such notes shall be deposited with the Treasurer, and disbursed thereby on the order of Council, in payment of the cost and expenses of any pavement on account of which such notes have been issued, and for no other purpose whatsoever. The proceeds of such extended taxes, when collected, shall be used for the payment of such notes and for no other purpose whatsoever.

(g) Invalid Assessments; Reassessments. Whenever any special assessment to defray the expense of any improvement is invalid, in the opinion of Council, Council may vacate and set the same aside. When any such special assessment is so vacated, or is held invalid by the judgment or decree of any court of competent jurisdiction, Council may, from time to time until a valid assessment is made, cause a new assessment to be made for the purpose for which the original assessment was made and in the manner provided for making the original assessment.

Whenever the tax or any part thereof assessed upon any lot or parcel of real estate by the original assessment set aside or held invalid as aforesaid has been paid, and is not refunded, the City Treasurer shall apply such payment upon the reassessment on the lot or parcel of real estate and make a notation thereof upon the new assessment roll. Such reassessment shall, to the extent of

such payment, be deemed paid and satisfied, after which no part of the amount paid on the original assessment shall be refunded, unless the amount paid as aforesaid exceeds the amount of the reassessment, in which case the excess shall be refunded, and the person or his or her legal representative who paid such amount shall be entitled to the amount to be refunded.

All the provisions of this chapter making special assessments a lien upon the lots and parcels of real estate enforced therein, and also those relating to the collection of special assessments, shall apply to such reassessments.

This section shall apply to assessments made before, as well as after, the effective date of this section.

(h) **New Warrants of Collection.** Whenever any special assessment has not been collected within the life of the Mayor's warrant affixed to the assessment roll, and is not vacated or held invalid, the Mayor may affix a new warrant to such assessment roll, extending the time for the collection of the assessment so long as Council directs. The Mayor may continue to affix new warrants to any assessment roll, from time to time, under the direction of Council, until the assessment is collected or returned.

Whenever any special assessment roll is hereafter ratified and confirmed, the time of payment of such special assessment is not extended over a term of years, and such special assessment is not collected within the life of the Mayor's first warrant affixed to such special assessment roll and is not vacated or held invalid, there shall be added to, paid and collected with such tax or assessment on each particular parcel or description of land, or any undivided share thereof, a penalty of four percent at the time of the expiration of the Mayor's first warrant affixed to such roll, together with interest, until paid or required by law to be returned as delinquent to the County Treasurer.

(i) **Assessment of Nonresidents' or Unoccupied Lands.** The lands of nonresidents and unoccupied lands of the City may be assessed their just proportion of the expenses of all improvements in the City, in the same manner and in the same amounts as assessments for improvements of other lands.

(j) **Assessment of State Land.** The Board of State Auditors shall allow the City moneys in proportion to the assessment upon adjoining property for any improvements made under this chapter upon any street upon which any block or parts of a block of land belonging to the State abut. The Auditor General, on the presentation to him or her of any such account duly allowed, shall draw his or her warrant on the State Treasurer therefor.

(k) **Application of Section.** The provisions of this section are applicable to all public improvements permitted by law, including, but not limited to, streets, sidewalks, drains, sewers, malls and promenades.

1026.07 INSTALLMENT PAYMENTS.

(a) **Warrant for Collection of Assessments; Payments; Interest; Bond Funds.** (1) Every assessment ratified and confirmed by Council shall be final and conclusive. Within TEN days after such assessment is ratified, the Mayor shall affix to the assessment and the tax roll his or her warrant for collection thereof. The Mayor's warrant shall direct the City Treasurer to collect the assessment on or before the due date, which date shall be ninety days from the date of confirmation by Council. The warrant shall further direct the Treasurer to initiate special assessment collections on the basis of the estimated figure provided by the City Assessor, and such assessment and tax roll, with the warrant of the Mayor so annexed, shall be delivered to the Treasurer within FIVE days after such warrant is annexed to the roll.

If the Treasurer is unable to Collect assessments as directed, he or she may levy and collect any such assessment by distress and sale of any personal property in the possession of the person charged with the assessment OR IN ANY OTHER MANNER PERMITTED BY LAW.

(2) IF THE ASSESSMENT ORDERED PURSUANT TO THIS CHAPTER IS FOR PAVING, CURB AND GUTTER, SEWER, SIDEWALK OR TREE REMOVAL AND THE PROPERTY ASSESSED IS AT THE TIME OF THE ASSESSMENT USED AS RESIDENTIAL PROPERTY, THE TAXPAYER SHALL HAVE THE OPTION OF EXTENDING THE TIME FOR PAYMENT OF THE SPECIAL ASSESSMENT IN THE MANNER PROVIDED IN THIS SECTION, UPON THE FOLLOWING BASIS:

A. IF THE TOTAL ASSESSMENT IS ONE HUNDRED DOLLARS (\$100.00) OR LESS, THE ASSESSMENT SHALL BE PAID IN FULL ON OR BEFORE THE DUE DATE, NINETY DAYS FROM THE DATE OF CONFIRMATION.

B. IF THE TOTAL ASSESSMENT IS MORE THAN ONE HUNDRED DOLLARS (\$100.00) BUT NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00), IT SHALL BE DIVIDED INTO UP TO TEN (10) EQUAL INSTALLMENTS, PROVIDED THAT NO INSTALLMENT, OTHER THAN THE FINAL INSTALLMENT, SHALL BE LESS THAN ONE HUNDRED DOLLARS (\$100.00).

C. IF THE TOTAL ASSESSMENT IS MORE THAN ONE THOUSAND DOLLARS (\$1,000.00) BUT NOT MORE THAN TWO THOUSAND TWO HUNDRED FIFTY DOLLARS (\$2,250.00), IT SHALL BE DIVIDED INTO UP TO FIFTEEN (15) EQUAL INSTALLMENTS, PROVIDED THAT NO INSTALLMENT, OTHER THAN THE FINAL INSTALLMENT, SHALL BE LESS THAN ONE HUNDRED FIFTY DOLLARS (\$150.00).

D. IF THE TOTAL ASSESSMENT IS MORE THAN TWO THOUSAND TWO HUNDRED FIFTY DOLLARS (\$2,250.00) BUT NOT MORE THAN FOUR THOUSAND DOLLARS (\$4,000.00), IT SHALL BE DIVIDED INTO UP TO TWENTY (20) EQUAL INSTALLMENTS, PROVIDED THAT NO INSTALLMENT, OTHER THAN THE FINAL INSTALLMENT, SHALL BE LESS THAN TWO HUNDRED DOLLARS (\$200.00).

E. IF THE TOTAL ASSESSMENT IS MORE THAN FOUR THOUSAND DOLLARS (\$4,000.00), IT SHALL BE DIVIDED INTO TWENTY EQUAL INSTALLMENTS.

F. THE INTEREST TO BE ADDED TO THE SPECIAL ASSESSMENT INSTALLMENT PAYMENTS SHALL BE AS DETERMINED BY THIS SECTION OR BY RESOLUTION OF COUNCIL.

G. As used in this section, "RESIDENTIAL PROPERTY" means a property WHICH, AT THE TIME OF being assessed, is not BEING USED for a commercial, professional or industrial enterprise.

H. No land being subdivided or used for a community unit or multifamily dwelling, except in a C Residential District, shall be eligible for the installment special assessment program.

(3) IF THE ASSESSMENT ORDERED PURSUANT TO THIS CHAPTER IS FOR SIDEWALKS AND THE PROPERTY ASSESSED IS AT THE TIME OF THE ASSESSMENT USED AS COMMERCIAL, PROFESSIONAL, OR INDUSTRIAL PROPERTY and the total cost of the special assessment is one thousand dollars (\$1,000) or more, the total special assessment for the cost of such sidewalks may be paid by the taxpayer over not more than three years in three equal installments, provided that no installment, other than the final installment, shall be less than one thousand dollars (\$1,000.00). Upon the sale, conveyance or transfer of the property, during such three-year period, any portion of the total special assessment still owing by the taxpayer for the cost of the sidewalks shall be

immediately due and payable. The interest to be added to the special assessment installment payments shall be determined BY THIS SECTION OR by resolution of Council.

(4) Following confirmation of a special assessment roll, a billing of the estimated assessment (original estimated billing) shall be rendered to the taxpayer OF RECORD. The words "estimated billing" shall be denoted on the original estimated billing and the total assessment shall be due within ninety days from the date of confirmation. There shall be no interest or penalty charged on any payment or on the entire assessment if paid IN FULL within ninety days from the date of confirmation.

If the TOTAL assessment is MORE THAN ONE HUNDRED dollars (\$100.00), the taxpayer may select the installment option by paying the first installment within ninety days of confirmation. Interest WILL BE CHARGED at seven percent per annum OR IF BONDS ARE ISSUED IN ANTICIPATION OF UNPAID INSTALLMENTS OF THE ASSESSMENT, AT THE BOND ISSUE INTEREST RATE PLUS ONE PERCENT (1%), WHICHEVER RATE SHALL BE GREATER, AND will be collected on the unpaid balance from the original due date to the billing date of the second AND SUBSEQUENT installments. To DELINQUENT payments made after ninety days, interest shall be added (adjusted for the number of months between the ninety first day and the billing PAYMENT date. Interest SHALL BE PRORATED based on the number of months that have elapsed between the ninety-first day and any payment made prior to the installment billing date. The second and subsequent installments shall include interest on the unpaid principal balance COMPUTED FROM THE PRIOR PAYMENT. No interest RATE adjustments shall be made once spread, unless such interest has been erroneously computed.

It shall be the sole responsibility of the Assessor to make all interest computations. The Assessor shall also determine the final amount to be paid on settlement of a special assessment liability.

If neither the total assessment nor the first installment is paid within ninety days of confirmation, the taxpayer eligible for installment payments is automatically obligated to pay on the installment basis and is delinquent as to the first installment. A penalty of four percent of the installment due shall be charged on all delinquent installments.

Subsequent installment payments shall be billed July 1, WITH THE DUE DATE coinciding with the City's due date for summer taxes, provided that the first two installments shall not become due within a period of less than 120 days of each other. Where the date of confirmation of the special assessment roll occurs less than 120 days preceding July 1 of any year, the second installment shall be due BILLED on July one year hence, and succeeding installments annually thereafter on July 1. Succeeding installments in either case shall bear interest ON THE UNPAID PRINCIPAL BALANCE AT THE RATE DETERMINED IN THE MANNER PROVIDED IN THIS SECTION. If any installment, other than the first, becomes delinquent, such installment shall be processed in the same manner as a delinquent tax and shall accrue the same penalties and interest as does a delinquent tax. Annual installments will be CALCULATED TO AND BILLED on July 1 of each Year, regardless of prepayments. PAYMENTS MADE IN ADDITION TO THE ANNUAL INSTALLMENTS SHALL NOT BE CONSIDERED AS INSTALLMENT PREPAYMENT NOR RELIEVE THE TAXPAYER OF THE RESPONSIBILITY OF PAYING ANY ANNUAL INSTALLMENT BILLED JULY 1. SCHEDULED PAYMENTS SHALL INCLUDE PRINCIPAL, DETERMINED IN THE MANNER PROVIDED IN THIS SECTION, AND ALL ACCRUED INTEREST AND

PENALTY.

Prior to any change of ownership of such properties on the installment payment special assessment program, certification must be presented to the Assessor proving that all special assessment taxes have been paid. Alternatively, a notarized agreement signed by the purchaser may be filed with the Assessor, which agreement clearly indicates that the purchaser is assuming the remaining lien.

(5) The City Engineer shall begin work or cause work to begin on a special assessment project on or before the first designated due date of a special assessment roll. If for some unavoidable circumstances, the Engineer cannot commence such work within the designated NINETY days, he or she shall make a special report to Council stating the circumstances in detail.

(6) Once the installment option has been selected, the Assessor shall provide for the accounting function, which function shall allow the special assessment to be paid in approximately equal payments, subject to the installment provisions stated in this section.

(7) The City shall have a lien for the total amount of special assessment taxes, interest and penalties, which lien shall attach to the property liable for the same, from and after the date of the warrant for the collection of the whole or any installment thereof, and shall remain until all installments are fully paid.

(8) If Council borrows money and issues its bonds to pay for any paving or sewer, for which extension of time of payment of taxes therefor is granted by Council, such taxes annually paid by the property owner benefitted, together with such sum raised and collected by the City for such purpose, shall be received and kept by the Treasurer in a special fund to be known as "_____ Street Paving Fund," or "_____ Sewer Fund," and the taxes so collected and placed to the credit of such fund shall be used for the purpose of paying the bonds issued for such paving or sewer, and for no other purpose, and shall be applied as Council directs.

(b) Authority of Council; Interest on Unpaid Installments. Notwithstanding any of the provisions of subsection (a) hereof, Council may grant an extension of time for payment of special assessments by any taxpayer UPON THE SHOWING OF SPECIAL NEED OR ECONOMIC HARDSHIP, without regard to the use, whether commercial, professional, industrial or otherwise, of the property within a special assessment district.

Where bonds are issued in anticipation of unpaid installments of such special assessments, the rate of interest on such unpaid installments shall be established at such level as may be permitted by law.

Section 3. That Section 1026.09 of the Codified Ordinances of the City of Lansing, Michigan, be amended to read as follows:

1026.09 SAVINGS.

ALL PROCEEDINGS PENDING AND ALL RIGHTS AND LIABILITIES EXISTING, ACQUIRED OR INCURRED UNDER THIS CHAPTER BEFORE THIS AMENDMENT, ARE SAVED AND MAY BE CONTINUED AND CONSUMMATED ACCORDING TO THE LAW IN FORCE WHEN THEY WERE COMMENCED.

Section 4. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 5. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt a letter from the law firm of R.

Bruce Carruthers regarding transfer of Class C Liquor License for Nappy Enterprises, Inc.

**REFERRED TO THE COMMITTEE ON GENERAL SERVICES
AND THE CITY CLERK**

2/ From Councilmember Ford a letter from Cynthia Stajor of K Realty Inc. regarding the Seven Block Development Plan

**REFERRED TO THE PLANNING BOARD AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT**

3/ From Councilmember Ford a resolution of tribute to Ella M. Ford

HANDLED AS RESOLUTION #171

REMARKS BY THE EXECUTIVE ASSISTANT TO THE MAYOR

Mr. Boyd had no comments

REMARKS BY COUNCILMEMBERS

Councilmember Beal complimented the Planning and Municipal Development Department and the Seven Block Area District Citizens Council on their Seven Block Area Development Plan.

Councilmember Ford stated his concern over Mayor McKane's proposed plans to spend \$100,000 for a facilitator and for cuts to the Parks Department Budget. He announced a three on three basketball tournament to be held at the Lansing Center.

Councilmember Schmidt said she does not feel that "across the board cuts" are the way to handle budget cuts.

Councilmember Canady agreed with Councilmember Ford's objection to spending \$100,000 on a facilitator.

Councilmember Benavides requested information from the administration regarding budget provisions for crossing guards.

Councilmember Belen appealed to the audience for donations to the Greater Lansing Food Bank.

Councilmember Brockwell congratulated Ella Ford.

CITIZENS MAY COMMENT

Harold Leeman of 529 N. Francis asked when citizen input regarding the budget will be allowed.

William Bernstein of 420 Baker St. said the new Council rules restrict the right to freedom of speech.

Frank Curtis of 1137 W. Allegan spoke regarding the arrest of Eaton County Sheriff Art Kelsey; He was cautioned by President Crawford to restrict his comments to city related issues. Mr. Curtis persisted in his subject of comment and was removed from the meeting at the request of President Crawford.

Lynn O'Connor, 1101 N. Capitol. spoke in opposition to demolition of property in her neighborhood for expansion of the Emanuel First Lutheran Church at 1001 N. Capitol.

Julie Tubbs-Lott of 1107 N. Capitol. asked for a moratorium on the demolition mentioned by Mrs. O'Connor.

Gary Andrews of 560 Brookland Blvd. thanked the Public Service Department for their quick response to our recent snowfall. He objected to the removal of Mr. Curtis from Chambers.

Paul Scott, no address given, said he is concerned about the animosity in the neighborhood over the Special Land Use request for Emmanuel First Lutheran Church. Councilmember Beal advised that this matter be brought to the attention of the Public Service Commission as soon as possible.

Andrew Anthos of 216 W. Holmes expressed sympathy over what happened to Mr. Curtis. He spoke regarding the lighting of the Capital Dome. Council President Crawford directed him to confine his comments to matters within the jurisdiction of the City. Mr. Anthos continued his comments and President Crawford adjourned the meeting.

ADJOURNED 10:00

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

109

Proceedings, March 30, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
March 30, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Brockwell

To approve printed Council Proceedings of March 2, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Canady

To accept the following under suspension of the rules:

1 / From Councilmember Canady a resolution by Committee of the Whole designating April as Fair Housing Month in Lansing

2 / From Councilmember Canady a resolution by the Committee on Physical Development regarding Community Development Block Grant Funds

3 / From Councilmember Belen a resolution of tribute to Josephine Tomancik

4 / From Councilmember Benavides a letter from the law firm of Wilson, Lawler and Lett regarding the proposed ordinance amendments to the Policemen and Firemen's Retirement System and the General Employees Retirement System

5 / From Councilmember Schmidt 10 signed letters in opposition to SLU-20-92 for Deja Vu at 1000 W. Jolly Rd.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Special Land Use Request, SLU-20-91, by Laura Simons on behalf of Cin-Lan, Inc. for expansion of off road parking at Deja Vu, located at 1000 W. Jolly Rd.

Laura Simons of 4121 Okemos Rd. representing Kline and Schafer on behalf of Cin-Lan, Inc. said that this is a compromise Special Land Use request and that the Planning Department's recommendations endorse this plan.

Linda DaFoe of 5320 Balser spoke in opposition to the request for

special land use at Deja Vu. She said Deja Vu creates traffic problems for the area and is not interested in being a responsible member of the community. The large sign on the building is a traffic hazard and flashes suggestive messages.

Councilmember Benavides reported that they have received a number of phone calls in opposition to this request. He said he has not been able to find one person in the neighborhood who is in favor of granting this request. He said that feelings are very strong about this.

Councilmember Schmidt said that the phone calls they have gotten are very explicit in their opposition to this request. She asked that the Committee consider the feelings of these people very seriously.

Russell Greear of 3801 Walton Drive said Council does not have the right to stop this business from expanding their parking. He said they should let the people decide; put it on a referendum and let people vote on it.

Lloyd Teets of 116 E. Elm said this appears to him to be a zoning problem. He said there must be a market for this business or they would go out of business. Someone must be patronising them.

Frank Curtis of 1137 W. Allegan said this company has the right to do their business.

Councilmember Canady said that the current zoning ordinance was not in place at the time that this business was built.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

B. In consideration of an amendment to Part 2, Sections 292.36-292.37, adding Sections 292.38-292.39, and renumbering existing Sections 292.38-292.48 of the Codified Ordinances of the City of Lansing providing for the pre-funding of Post Retirement Health Care, Employees Retirement System

David Wilson of the law firm of Wilson, Lawler & Lett spoke on behalf of Capitol City Lodge #141 FOP. He said they have four chief bargaining units that would be affected by these ordinances; 911, Parks Police, Supervisory and Non-Supervisory personnel of the Lansing Police Department. He said this amendment would violate the statutes outlined in his letter to Council. This proposition has been submitted before and has been involved with Act 312 proceedings. He informed Council that the City is obligated to use Collective Bargaining to effect these changes. He warned that the City must not implement these changes without going through the bargaining process.

Margaret Herp of 906 Stanley said that she has worked on this since 1988 and she thought they had reached an agreement for prefunding.

REFERRED TO THE COMMITTEE OF THE WHOLE

C. In consideration of an amendment to Part 2, Section 294.02, Subsection 294.02(r), of the Codified Ordinances of the City of Lansing providing for the pre-funding of Post Retirement Health Care, Policemen and Firemen's Retirement System

This public hearing was held in conjunction with the preceeding hearing.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm criticized Council for the amount of late items they submit every week because the public does not get an opportunity to review these items.

Harold Leeman of 529 N. Francis spoke regarding the resolution for the renovation of homes on Shiawassee and Sycamore. Council needs to send a message to all Departments that they are not just a rubber stamp. They need to take their time to examine these issues.

SPECIAL CEREMONIES

Mayor McKane introduced City Forestry Manager, Paul Dykema. Mr. Dykema introduced Kara Buche, Urban and Community Forrester, who presented Mayor McKane with the Tree City USA Flag. She commended the City for its' strong commitment to trees and the quality of life for residents and wild life.

Pat Wilson, General Manager of Continental Cablevision introduced Susan Swain, Senior Vice President of C-Span. Ms. Swain thanked the City for carrying C-Span for the last several years. She said that by the time the 1992 Presidential Campaign is over with C-Span will have provided over 1200 hours from the campaign trail. Already this year they have televised 11 events in Michigan and 2 from Lansing. She said that in 1988 90% of C-Span viewers went to the polls versus the 50% national average. She said they are working to expand cable use in classroom situations.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Notification from ERA Mulder Realty of 4433 W. Saginaw of a new Listing Agent assigned to represent the City in the sale of vacant land on Shepard St.

REFERRED TO THE MAYOR

B. Request for transfer of Commercial Facilities Exemption Certificate, CRD-7-84 granted to Dr. Philip Baldino from Dr. Michael Dionise for property at 610 S. Grand Avenue

REFERRED TO THE MAYOR AND THE COMMITTEE FOR ECONOMIC DEVELOPMENT

C. Letter of acceptance from the Michigan Department of Natural Resources for the 'as-built' plans for sewer service to Oakhill Professional Condo's

RECEIVED AND PLACED ON FILE

D. Claim appeal from Sarah Hernandez of 1615 Roseneath

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

E. Two letters from Vera Watts of 919.5 W. Washtenaw regarding Cooley Law School and the legal system

REFERRED TO THE MAYOR

F. Letters in opposition to Special Land Use requests filed by Cin-Lan, Inc. for parking expansion at Deja Vu from:

- Lowell Hoyland of 5032 Delray Dr.
- H. Estrade of 5032 Delray Dr.
- Lucille Mosher of 5143 Bogart
- Anthony Jones of 5125 Bogart

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR MAY COMMENT

Mayor McKane commented on his letters on tonight's agenda; #1 status report on the downtown parking expansion project, #2 requests for transfer of funds, #3 purchase and demolition of property, #4 appointment of Clio Egbert to the Senior Citizens Advisory Board.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #172 March 20, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Steven E. Stanton, James J. Korrey, James R. Brenz

BUILDING WRECKER: Reid Iron & Metal, Parish Corporation

BUILDING MOVER: Williams House Moving & Raising, Inc.

PUBLIC DRIVER: Jack H. Woodward, Walter Mixon, Patrick D. Sagataw, Dayna Marie Pentecost, Ralph P. Pentecost

SIGN ERECTOR: Wolverine Development Corp., Discover Canvas & Awning

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 23, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk submitting Board Evaluation for the

Electrical Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

D. Letters from the Mayor re:

1. Status Report: Downtown Parking Expansion Project

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

2. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Purchase and Demolition of 127 Lathrop St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

4. Appointment of Clio Egbert to Senior Citizens Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICE

COMMITTEE REPORTS

There were no committee reports

RESOLUTIONS

RESOLUTION #173

BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-7-84, at 606-616 S. Grand Avenue, Lansing, Michigan and has issued a Commercial Facilities Exemption Certificate for construction of a new facility at that site to Dr. Philip Baldino on November 5, 1984 to remain in effect for twelve years; and

WHEREAS, Dr. Michael J. Dionise of 610 S. Grand Avenue, Lansing, Michigan, having purchased the above-mentioned property has applied for the transfer of this Commercial Facilities Exemption Certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on the Dr. Michael J. Dionise application for the transfer of the Commercial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk give at least (10) ten days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

BE IT FURTHER RESOLVED, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District (CRD-7-84); and

BE IT FINALLY RESOLVED, that such hearing shall be held in the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, April 27, 1992 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Belen

Carried unanimously

RESOLUTION #174

BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nappy Enterprises, Inc., doing business as Panda's

Restaurant, has requested final Council approval of the transfer of location of a Class C liquor license to 6031 South Pennsylvania Avenue from 6527 South Cedar Street; and

WHEREAS, on November 18, 1991, this Council gave conditional approval to the transfer pending remodeling of the new location and conformance with City Codes; and

WHEREAS, the Building Safety Division has reported that remodeling of the location has been satisfactorily completed and the restaurant meets all appropriate codes;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the request of Nappy Enterprises, Inc., doing business as Panda's Restaurant, for transfer of location of a Class C liquor license to 6031 South Pennsylvania Avenue from 6527 South Cedar Street; and

BE IT FURTHER RESOLVED the Clerk is hereby directed to send a copy of this resolution and associated documents to the Michigan Liquor Control Commission.

By Councilmember Ford

To consider the resolution as read in full and place an affirmative roll on it conditional to sign off by the required City Departments

Carried unanimously

RESOLUTION #175

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Steven Hengesback filed a claim against the City in the amount of \$260.00 in protest of a special assessment for removal of trash from his rental property located at 532 Baker Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends partial approval of the claim by removing the City administrative charge of \$190.00 from the special assessment, leaving the contractor's charge of \$70.00, which the City paid to have the disputed trash removed;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby amends the trash removal special assessment on the rental property located at 532 Baker Street and owned by Steven Hengesbach, reducing the assessment by \$190.00 leaving a balance of \$70.00 to be paid by the claimant; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action.

By Councilmember Ford

To place an affirmative roll on the resolution with the correction of

the spelling of the last name to Hengesbach

Adopted by the following vote:

YEAS: 7

NAYS: 1

RESOLUTION #176

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-012, which authorizes the installation of a yield sign on Hilliard at the intersection of Doris Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #177

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 3003 Turner Street, legally described as:

33301 04 151 471

Lot 40, Mayfield Farms Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March 2, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution March 30, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City

Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #178

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan, Department of Natural Resources is receiving grant applications for recreational facilities until April 1, 1992; and

WHEREAS, a grant application for play equipment has been prepared consistent with the Recreation Plan project list; and

WHEREAS, the million dollar project, if approved, would provide play equipment in twenty (20) parks; and

WHEREAS, the sites will be designed to meet the new Americans With Disabilities Act requirements; and

WHEREAS, the local match of \$375,000 is available from the Park Development Millage;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes submission of the application for play equipment to the Department of Natural Resources; and

BE IT FURTHER RESOLVED, the Council authorizes compliance with all requisites for receiving State Grants and commits to undertake the project if funding is awarded.

By Councilmember Benavides

Carried unanimously

RESOLUTION #179

BY COMMITTEE ON WAYS AND MEANS

3/30/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

\$500.00 from Est. Rev. A/C 101-000000-170001-00000
500.00 to Hum. Res.-Bgt. Ctrl.

A/C 101-673701-992200-00000

(Donation from International Association of Firefighters for purchase of smoke detectors for low income households. To memo account 101-673701-741880-0.)

\$500.00 from Est. Rev. A/C 101-000000-170001-00000
500.00 to Fire-Bgt. Ctrl. A/C 101-343501-992200-00000

(Donation from Ashland Chemical for the Local Emergency Planning Committee to use for public information bro-

chures. (A/C #101-343501-741881-0)

\$240.00 from Est. Rev. A/C 101-000000-170001-00000
 240.00 to Fire-Bgt. Ctrl. A/C 101-343501-992200-00000
 (Donation from Ingham County to City of Lansing Fire
 Department for Paramedic training classes.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

APPROVED:

By Councilmember Benavides

Carried unanimously

RESOLUTION #180

NOTICE OF INTENT RESOLUTION City of Lansing Counties of Ingham and Eaton, Michigan

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to construct certain Combined Sewer Overflow Control Improvements; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, ("Act 320") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the City Council of the City intends to authorize the issuance of limited tax general obligation bonds pursuant to Act 320 in one or more series in an aggregate amount not to exceed \$9,000,000, for the purpose of constructing a sanitary pump station at Pennsylvania Avenue and Fayette Street, a large storm express sewer to an existing sewer under I-496 to outfall at the Grand River, and other improvements (the "Improvements") included in Phase I, Segment 1 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit; and

WHEREAS, notice of intent to issue bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, prior to issuance of each series of bonds the City must either receive prior approval of the bonds from the Michigan Department of Treasury or be exempt from prior approval as provided in Chapter III, Section 11, of Act 202, Public Acts of Michigan, 1943, as amended.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a notice of intent to issue bonds to be published in the Lansing State Journal, a newspaper of general circulation in the City, as a display advertisement at least one-quarter page in size.
2. Said notice of intent so published shall be in substantially the

following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS OF THE CITY OF LANSING OF INTENT TO ISSUE BONDS SECURED BY THE POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of limited tax general obligation bonds of the City, in one or more series, in an aggregate principal amount not to exceed Nine Million (\$9,000,000) Dollars, pursuant to Act 320, Public Acts of Michigan, 1927, as amended, in order to comply with the Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 which requires construction of a sanitary pump station at Pennsylvania Avenue and Fayette Street, a large storm express sewer to an existing sewer under I-496 to outfall at the Grand River, and other improvements included in Phase I, Segment 1 of the Combined Sewer Overflow Improvements Project Plan (the "Improvements"). Said bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at a rate to be determined at the time of sale of the bonds not to exceed the maximum rate permitted by law.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable primarily from the general funds of the City, including funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's Charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

THE BONDS will be issued without vote of the electors unless a PETITION requesting an election on the question of issuing the bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this notice. If such a petition is filed, the bonds cannot be issued without an approving vote by a majority of electors voting on the question.

THIS NOTICE is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this notice may be secured from the City Clerk's office.

James D. Blair, City Clerk

3. The City Council hereby determines that the foregoing form of notice of intent to issue bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the bonds.

4. Either the Finance Director or the Public Service Director be and are hereby authorized to request an exception from prior approval

to issue bonds from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue an order granting prior approval to issue bonds, and to request any related waivers.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing at a regular meeting held on March 30, 1992, at 7:00 o'clock p.m., Eastern Standard Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting: _____ and that the following Members were absent: _____.

I further certify that Member _____ moved for adoption of said resolution: _____ and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____ and that the following Members voted against adoption of said resolution: _____.

James D. Blair, City Clerk

By Councilmember Benavides

Carried unanimously

RESOLUTION #181

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a City of Lansing vacancy exists on the Capitol Area Rail Council; and

WHEREAS, the president of the Rail Council has nominated Lansing resident Paul D. Hodges to fill the vacancy; and

WHEREAS, the Committee of the Whole has considered this nomination and recommended approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 30th day of March, 1992, hereby appoints Paul D. Hodges to fill a vacant City of Lansing position on the Capitol Area Rail Council.

By Councilmember Benavides

Carried unanimously

RESOLUTION #182

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has proclaimed April 1992 as Fair Housing Month in Lansing, and a special observance program co-

sponsored by this Council will be held in the 10th Floor Chambers at noon on Wednesday, April 1st; and

WHEREAS, the guest speaker at the program will be Avery Friedman, a nationally distinguished civil rights lawyer and law professor, whose litigation on behalf of discrimination victims has earned him the United States Fair Housing Achievement Award, the highest honor in the fair housing field;

WHEREAS, the purpose of the program, which will be cablecast on Channel 28, is to inform and educate the community on issues of equality and freedom of housing choice, as well as to give fair housing issues more exposure;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby supports the objectives of Fair Housing Month and urges the People of the City of Lansing to work toward elimination of discrimination in housing matters on the basis of race, color, sex, marital status, age, national origin, religion, ancestry, political orientation, adaptive devices or aids, and source of income.

By Councilmember Canady

Carried unanimously

RESOLUTION #183

BY THE COMMITTEES ON PHYSICAL DEVELOPMENT AND WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is the policy of the City Council of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of its residential neighborhoods; and

WHEREAS, the City Administration has been working with the residents of the Downtown Neighborhood Association and the Genesee Neighborhood Association to develop strategies to upgrade housing and promote home ownership; and

WHEREAS, Lansing Reinvestment Corporation, a Michigan nonprofit corporation, at the request of both the Downtown and Genesee Neighborhood Associations, is proposing to renovate an entire block face of rental housing on the south side of Shiawassee Street, between Pine and Sycamore, for the purpose of reselling the homes to owner-occupants; and

WHEREAS, the City Administration has endorsed this project and recommends its implementation; and

WHEREAS, the purchase of several properties and the disposition of property to the nonprofit housing corporations is required to make the project feasible; and

WHEREAS, the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisition and disposition of real property; and

WHEREAS, the Physical Development Committee of the Lansing City Council has reviewed the project and recommends approval; and

WHEREAS, the Ways and Means Committee of the Lansing City Council has reviewed a financial impact statement for the project and supports its implementation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the

City of Lansing that the City Administration be and is hereby authorized to acquire the following properties for the purpose of demolishing the structures, development of an alley between Sycamore and Pine and then dispose of the remaining property for a nominal cost to the appropriate nonprofit housing corporation to increase rear yard for each of the properties fronting on Shiawassee Street:

328 North Sycamore, more particularly described as Lot 11, Block 88 Original Plat, City of Lansing, Ingham County, Michigan; and

329 North Pine, more particularly described as the North 36 feet of the East 80 feet Lot 2, Block 88 Original Plat, City of Lansing, Ingham County, Michigan and the South 30 feet of the East 80 feet, Lot 2, plus the West 85 feet of Lot 2; and

BE IT FURTHER RESOLVED that the City Administration is authorized to accept a quit claim deed to:

601 West Shiawassee; more particularly described as the East 45 feet of Lot 7, Block 88 Original Plat, City of Lansing, Ingham County, Michigan,

subject to a clear title, for the purpose of selling the property to Lansing Reinvestment Corporation for a nominal fee to renovate and resell to an owner-occupant; and

BE IT FURTHER RESOLVED that the City policy requiring environmental assessments prior to purchase is waived for these residential properties; and

BE IT FINALLY RESOLVED THAT approval of this redevelopment project is subject to the following constraints:

1. That a separate series of budgetary accounts shall be established within the Fiscal Year 1991-92 Community Development Block Grant Budget.

2. That all funds utilized for this project shall be from the Fiscal Year 1991-92 Community Development Block Grant Budget.

3. That the total amount of funds, including the costs of acquisition, demolition, rehabilitation grants and loans, and public improvements expended on this project shall not exceed \$202,000.00.

4. That any expenditure of funds in excess of the \$202,000.00 budgeted for the project shall be subject to the prior approval of the Lansing City Council.

March 30, 1991

By Councilmember Benavides

To discharge the Committee on Ways and Means

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #184

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on April 4, 1992, Lansing resident Josephine Tomancik

will become the first woman in the history of the Michigan Department of Transportation to complete 50 years of consecutive state service; and

WHEREAS, in early 1942, at the age of 18, Jo Tomancik passed the state civil service exam for typist/clerk and was hired, causing her to move from Owosso to Lansing where she has resided ever since; and

WHEREAS, Jo moved to the DOT's Roadside Development Division in April 1953, where today she is in the same office for the past 40 years, serving as a Secretarial Administrative Assistant, but using the newest computers and word processing technology by always keeping current in ways to improve her productivity; and

WHEREAS, Jo will retire on April 30, 1992, just three weeks from her 69th birthday, and her many friends at MDOT will honor her for her dedication as a state civil servant;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby declares April 4, 1992, as JOSEPHINE TOMANCIK DAY IN LANSING, in tribute to 50 years of outstanding service to the People of Michigan; and

BE IT FURTHER RESOLVED the members of Council join Jo's friends in wishing her many years of happiness and good health with which to enjoy her retirement.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Canady a resolution by Committee of the Whole designating April as Fair Housing Month in Lansing

HANDLED AS RESOLUTION #182

2/ From Councilmember Canady a resolution by the Committee on Physical Development regarding Community Development Block Grant Funds

HANDLED AS RESOLUTION #183

3/ From Councilmember Belen a resolution of tribute to Josephine Tomancik

HANDLED AS RESOLUTION #184

4/ From Councilmember Benavides a letter from the law firm of Wilson, Lawler and Lett regarding the proposed ordinance amendment to the Policemen and Firemen's Retirement System and the General Employees' Retirement System

REFERRED TO THE COMMITTEE OF THE WHOLE

5/ From Councilmember Schmidt 10 signed letters in opposition to SLU-20-92 for Deja Vu at 1000 W. Jolly Rd.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

MAYOR'S REMARKS

Mayor McKane announced that the Parks and Recreation Department is working with the United States Navy Chorus, the Sea Chanters, who will be visiting Lansing. On April 6, 1992 at 8:00 P.M. they will give a concert at Everett High School Auditorium. Anyone interested in attending may call 483-4277 for ticket information. He said the yard waste pickup program began today. Any yard waste can be put out on regular pickup days. You can no longer put yard waste in Green Bags. Composting of yard waste collected will be done by a private firm. Yard waste will no longer go into land fills.

COUNCILMEMBERS REMARKS

Councilmember Schmidt thanked everyone for being such good friends to her following her recent accident. She complimented the Fire Department Paramedics for their quick response and excellent treatment. She said she received visits from Mayor McKane and his Staff and from her colleagues on Council. She got so many phone calls they had to cancel them.

Councilmember Ford welcomed Councilmember Schmidt back and said it is great to see her doing well. He announced that there will be a neighborhood meeting to discuss the expansion plans of the Emanuel First Lutheran Church at 7:00 this Thursday, April 2, 1992 at 1101 N. Capitol.

CITIZENS COMMENT

Gary Andrews of 560 Brookland Blvd. said that he liked the brochure that was proposed at the Committee of the Whole meeting last Thursday explaining the rules for addressing Council, but, he would still like to see some type of digital timer installed that will allow people to see how much time they have left. He complimented the renovation project on the block of homes on Shiawassee St. saying it was a positive project and he hopes it is successful. He asked if the Budget Director was involved in a conflict of interest situation because of the property she owns on Shiawassee. Councilmember Canady responded that this property is not owned by the Budget Director, but, by her parents.

William Bernstein of 420 Baker St. spoke regarding immigration into the U.S. of people in search of personal freedom.

Russell Greear of 3801 Walton said he lives in Councilmember Schmidt's district. He said there is a parcel of property in that district that needs to have the garbage picked up. The neighbors want to establish a picnic area there and cannot do so until it has been cleaned up. He insisted that it be cleaned up by the middle of May, or he will sue the City.

Gracie Ansley of 2034 W. Lenawee stated that she owns several pieces of rental property which she is forced by the City to keep repaired to Code. She said the Union Baptist Church has rental property at 1005 W. Lenawee that is in such bad condition that it is unfit to be occupied. She said the Code should be applied equally to everyone. Councilmember Ford indicated his willingness to meet with her following tonight's meeting in regards to this property. Council President Crawford asked Mayor McKane to have this situation looked at.

Clara Wahl of 2822 Fielding, a sufferer of MS, said she will be walking in the MS Walk this Sunday. She asked Councilmembers to

pledge to her walk.

Lloyd Teets of 116 E. Elm said that he got the money to bail Mr. Curtis out last week from a friend. He said if the City is supposed to be operating on a tight budget they should not spend so much money prosecuting himself, Mr. Bernstein, and Mr. Curtis.

Frank Curtis of 1136 W. Allegan thanked Mr. Teets for bailing him out of jail last week. He said he is the only black American who will come down to Council meetings and stand up for the rights of all people. He said the Lansing Police Department needs more black officers and more white women officers.

Dr. Earl T. Pauley of 601 N. Cedar spoke regarding the funding cuts facing the Lansing School District. He said that if the US Government can afford to spend millions of dollars rehabilitating foreign countries they can afford to spend money on our schools.

Darlene Graham of 414 S. Pennsylvania asked Council to intercede on her behalf regarding an assessment for trash removal at her property. She said the trash came from a drug house next door to her, not from her family and she should not have to pay for it. Council President Crawford asked the City Attorney's Office to look into this matter.

Douglas Fairbanks, no address given, welcomed Councilmember Schmidt back. He spoke in support of Council rules placing time limits on public comment.

Ruth Peoples of 1019 Hickory asked Council to do something to clean the City of drugs.

Harold Leeman of 529 N. Francis asked about a letter he wrote to Council on February 24, 1992 requesting information about lobbying done on behalf of the City by Kevin McKinney. He has had no reply from the Mayor's Office to whom the letter was referred. He questioned the City's policy of supplying automobiles to Department Heads and allowing them to be driven home at the end of the day. He feels this practice is bad public relations. He asked about a resolution calling for a demolition moratorium. Councilmember Brockwell responded to his question saying that they are waiting for a response from the Law Department and the Mayor's Office on this matter.

ADJOURNED 8:40

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

117

Proceedings, April 6, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
April 6, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Benavides

The Invocation was led by Councilmember Ford. The Pledge of Allegiance was led and the Colors were presented by the Drill Team from Lansing Boys and Girls Club

MINUTES

By Councilmember Belen

To approve the Printed Council Proceedings from March 9, March 16, and March 23, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell a request to waive the noise ordinance to allow for a victory celebration by University of Michigan fans following tonight's NCAA Championship game between Duke and U of M

2/ From Councilmember Canady a letter from the Ingham County Drain Commissioner regarding the Combined Sewer Overflow Project

3/ From Councilmember Canady a memo from City Attorney, Al Knot recommending non profit status for Michigan Hispanic Cultural Arts Association

4/ From Councilmember Schmidt a letter regarding the renovation of Kendon Park

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. questioned why resolution XII C was on the Agenda. He remembers it's resolution as having been passed last week. Councilmember Canady confirmed that this resolution was passed last week, however, the version that was passed needs to be corrected. That is the purpose of this

resolution. Mr. Teets said that he went and looked at these properties and he approves of the project.

SPECIAL CEREMONIES

Mayor McKane presented a proclamation naming April 12-18, 1992 as National Boys & Girls Club Week. He announced that they will hold a "Youth for Freedom Walk" on Saturday, April 11, 1992. The walk will be along the river trail and will raise money for a new flag pole for the Club. On Sunday, April 12, 1992 they will have a pancake breakfast/brunch, admission is \$3.00 for adults and \$2.50 for senior citizens and children under 12. They also have plans for a "Youth Talent Show", "Group Olympics", "Bring a Friend Day" and a "3 on 3 Basketball Tournament".

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter of appreciation from Mrs. Norman Beyer of 4925 Hillcrest Ave. for the Cavanaugh St. repairs

RECEIVED AND PLACED ON FILE

B. Article which appeared in the April edition of 'Lansing Capital Times' "Making City Council safe for democracy"

RECEIVED AND PLACED ON FILE

C. Claim appeal of Doris C. Foley of 1731 N. Fairview for damage to her residence at 552 Hamilton

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICE

D. Letter from Sandra Hart of 1007 W. Lapeer regarding a problem with drug use and disorderly conduct on property owned by the City

REFERRED TO THE MAYOR

E. Postcard signed by Dennis Crumm requesting City Council to defeat a proposed ordinance banning nudity in entertainment

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane commented on his six letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #185

April 3, 1992

President Belen and Members of the Lansing City Council

10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

BUILDING WRECKER: E.T. MacKenzie Co., Sherrell's Excavating, D.L. Kesler Construction, Inc., J & J Wrecking Co., Inc., Cook Brothers Excavating, Inc.

BUILDING MOVER: E.T. MacKenzie Co.

CABARET: Connxtions, Parthenon Restaurant and Deli

ICE CREAM PEDDLER: Ray C. Williams

PEDDLER: Ricky J. Nelson

PUBLIC DRIVER: Don Charles Hargraves, Jack Anderson, Eugene D. Hetherington, Paul Adam Wokas, Charles A. Wilkinson

RUBBISH HAULER: William E. Tomlinson

SIGN ERECTOR: Tecon Trucking Corporation, B & B Sign, Neotec Intl. Inc., Wilson Deming Inc.

VEHICLES FOR HIRE: Buck Dewitt Allen, Harold Halstead, Yanks Inc. dba/Yellow Cab Co.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 30, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Elimination of Adult Crossing Guard Locations

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. Traffic Control Request: Hunter Blvd., Ridgewood Ave, and Wildwood Ave

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. Parking Regulation Change Request: W. Rundle Ave

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Parking Regulation Change Request: Cedar St. Frontage Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5 RESOLUTION #186

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: March 30, 1992

SUBJ: Trash Violation Fee (V-24)—\$1,064.33

The attached trash violation/assessment fees for removal of trash

in the right-of-way are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

6. Fairview Park Acquisition

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #187

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Clio Egbert to the Senior Citizens Advisory Board for a term to expire June, 1995, is hereby confirmed.

April 6, 1992

By Councilmember Ford

Carried unanimously

Item XII A-2, Claim Settlement of Conrad S. Larson at 1017 Euclid was defeated by a vote of 3 yeas to 4 nays and referred to the Committee of the Whole.

By Councilmember Ford

To challenge the Chair and overturn the decision of the Chair to refer this matter to the Committee of the Whole

Defeated by the following vote:

YEAS: 2

NAYS: 5

RESOLUTION #188

By Physical Development Committee

WHEREAS, the Charter Township of Lansing has requested sanitary sewer service be provided to the following address:

2926 W. St. Joseph

WHEREAS, it appears to the Township and the City that an extension of such service will be of mutual benefit to both parties.

WHEREAS, an existing sewer main shall be excavated and repaired as directed by the City Engineer

WHEREAS, said sewer shall become a public sewer once said repair is completed.

BE IT RESOLVED that the extension of sewer service to the address as indicated herein is hereby approved subject to the following conditions:

1. The City shall not be responsible for any costs of construction or maintenance of the individual house leads from the user's building to, and including the connection with the sewer main located in the street owned by the Ingham County Road Commission.

2. A permit from the City of Lansing Department of Public Service shall be obtained prior to any sanitary sewer construction work. Detailed plans prepared by a registered Engineer shall be submitted to the Lansing City Engineer for review and approval. The Charter Township of Lansing shall not issue an occupancy permit until the above-mentioned sewer permit is issued by the City of Lansing.

By Councilmember Canady

Carried unanimously

RESOLUTION #189
PUBLIC IMPROVEMENT II

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the plans and specifications returned by the Department of Public Service in pursuance of the resolution of this Council dated February 10, 1992,

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets and alleys and other land deemed not benefitted.

PROPERTY BENEFITTED

STORM SEWER: All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets alleys and other land deemed not benefitted.

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

ASSESSMENT ROLL NO. 323

	FEDERAL CONTRIBUTION	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
CURB AND GUTTER	56,680.40	818.56	23,979.12
STORM SEWER	159,920.40	5,905.03	64,060.14
BRIDGE COSTS	324,663.52	121,748.82	0.00
OTHER COSTS	269,144.72	117,750.82	0.00
TOTAL COSTS	810,409.04	246,223.23	88,039.26

project to be part of the Jolly Rd. Street Reconstruction project, P.S. #78015.

Account Number

City Share of Storm Sewer	\$5,905.03	403 933601 974100 42544
City Share of C&G	818.56	403 933601 974100 42544
City Share of Other Costs	158,768.03	403 933601 974100 42544
City Share of Other Costs	80,731.61	403 933601 743700 42544
F.A.U.S. Share of Costs	810,409.04	Federal Share
Assessment Roll #323	88,039.26	404 933601 974100 42544
TOTAL	\$1,144,671.53	

That the Michigan Department of Transportation will advertise and let for bid the specifications for said project, as submitted by the Department of Public Service. That the Mayor be authorized to sign an agreement with the Michigan Department of Transportation for the construction of said project.

That the City Assessor be, and is authorized, to make special assessment installation rolls, based upon the bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar, Deputy City Controller

By Councilmember Canady

Carried unanimously

RESOLUTION #190

**BY THE COMMITTEES ON PHYSICAL DEVELOPMENT AND
WAYS AND MEANS**

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is the policy of the City Council of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of its residential neighborhoods; and

WHEREAS, the City Administration has been working with the residents of the Downtown Neighborhood Association and the Genesee Neighborhood Association to develop strategies to upgrade housing and promote homeownership; and

WHEREAS, Lansing Reinvestment Corporation, a Michigan nonprofit corporation, at the request of both the Downtown and Genesee Neighborhood Associations, is proposing to renovate an entire block face of rental housing on the south side of Shiawassee Street, between Pine and Sycamore, for the purpose of reselling the homes to owner occupants; and

WHEREAS, the City Administration has endorsed this project and recommends its implementation; and

WHEREAS, the purchase of several properties and the disposition of property to the nonprofit housing corporations is required to make the project feasible; and

WHEREAS, the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisition and disposition of real property; and

WHEREAS, the Physical Development Committee of the Lansing City Council has reviewed the project and recommends approval; and

WHEREAS, the Ways and Means Committee of the Lansing City Council has reviewed a financial impact statement for the project and supports its implementation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the City Administration be and is hereby authorized to acquire the following properties for the purpose of demolishing the structures, development of an alley between Sycamore and Pine and then dispose of the remaining property for a nominal cost to the appropriate nonprofit housing corporation to increase rear yard for each of the properties fronting on Shiawassee Street:

328 N Sycamore, more particularly described as Lot 11, Block 88 Original Plat, City of Lansing, Ingham County, Michigan; and

329 N. Pine, more particularly described as the North 36 feet of the East 80 feet Lot 2, Block 88 Original Plat, City of Lansing, Ingham County, Michigan and the South 30 feet of the East 80 feet, Lot 2, plus the West 85 feet of Lot 2; and

BE IT FURTHER RESOLVED that the City Administration is authorized to accept a quit claim deed to:

601 West Shiawassee; more particularly described as the East 45 feet of Lot 7, Block 88 Original Plat, City of Lansing, Ingham County, Michigan.

subject to a clear title for the purpose of selling the property to Lansing Reinvestment Corporation for a nominal fee to renovate and resell to an owner-occupant; and

BE IT FURTHER RESOLVED THAT the City Administration is authorized to acquire the H.U.D. owned property at:

617 West Shiawassee, more particularly described as the West 45 feet of the East 63 feet, Lot 12, Block 88 Original Plat, City of Lansing, Ingham County, Michigan,

for the purpose of reselling to Lansing Reinvestment Corporation to renovate and resell to an owner occupant; and

BE IT FURTHER RESOLVED that the City policy requiring environmental assessments prior to purchase is waived for these residential properties; and

BE IT FINALLY RESOLVED that approval of this redevelopment project is subject to the following constraints:

1. That a separate series of budgetary accounts shall be established within the Fiscal Year 1991-92 Community Development Block Grant Budget.
2. That all funds utilized for this project shall be from the Fiscal Year 1991-92 Community Development Block Grant Budget.
3. That the total amount of funds, including the costs of acquisition, demolition, rehabilitation grants and loans, and public improvements expended on this project shall not exceed \$202,000.00.
4. That any expenditure of funds in excess of the \$202,000.00 budgeted for the project shall be subject to the prior approval of the Lansing City Council.

By Councilmember Canady

To reconsider resolution #183 adopted March 30, 1992

Adopted by the following vote:

YEAS: 7

NAYS: 0

By Councilmember Canady

To amend Resolution #183 adopted on March 30, 1992 to conform with the content of this resolution.

Adopted by the following vote:

YEAS: 7

NAYS: 0

RESOLUTION #191

BY THE COMMITTEE ON PUBLIC SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS it is the top priority of the City Council of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of its residential neighborhoods; and

WHEREAS residents of Lansing's Eastside have requested the City to acquire 127 South Lathrop Street due to condition and overcrowding; and

WHEREAS the City Administration has recommended that this request be granted; and

WHEREAS the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisition and disposition of real property,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that the City Administration is authorized to acquire the following property, demolish the home and sell the property to adjacent property owners according to policies established by the Community Development Block Grant Program:

127 Lathrop Street, more particularly described as the south one half of Lot 19, Block 2 Halls Addition, City of Lansing, Ingham County, Michigan; and

BE IT FURTHER RESOLVED that the City policy requiring an environmental study prior to purchase is waived for this residential property; and

BE IT FINALLY RESOLVED that all costs associated with this project shall be charged to the City's Community Development Block Grant Program.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #192

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, among the thousands of people who give of themselves to make our community better for everyone, WILLIAM J. PORTER, JR., stands out as a leader of leaders; and

WHEREAS, Bill Porter established Porter Realty Company in 1948, and over the years has served in leadership roles for several real estate organizations, was named Lansing Realtor of the Year, and is a past president of the Greater Lansing Board of Realtors; and

WHEREAS, Bill's brilliant record of public service includes membership on the boards of directors of the Economic Development Corporation and the Tax Increment Finance Authority, where he serves as Vice-Chair on both, and of the Lansing Hospital Finance Authority, with direct involvement in a variety of projects that have added new commerce and jobs to the Capital City; and

WHEREAS, his many accomplishments and selfless devotion of his time and skills have earned Bill recognitions such as the

Community Service Award from the Lansing Regional Chamber of Commerce and the United Community Chest;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 6th day of April, 1992, hereby pays special tribute to WILLIAM J. PORTER, JR., for his years of outstanding service to the People of the City of Lansing; and

BE IT FURTHER RESOLVED each member of Council, with deepest respect and admiration, commends Bill's lifetime of community service as a superlative example of a citizen who is moving Lansing forward to a brighter future.

By Councilmember Belen

Carried unanimously

RESOLUTION #193

TO: CITY COUNCIL PRESIDENT JAMES CRAWFORD and Members of the Lansing City Council
FROM: ALVAN P. KNOT, City Attorney
DATE: April 6, 1992
SUBJECT: DESIGNATION OF NON-PROFIT ORGANIZATION- MICHIGAN HISPANIC CULTURAL ART ASSOCIATION

Based upon a review by this office of the documents and by-laws submitted by Michigan Hispanic Cultural Arts Association, please be advised that the above-subject association qualifies as a non-profit organization.

If you have any questions concerning this matter, please feel free to contact me.

Thank you.

By Councilmember Canady

To accept recommendations of the City Attorney

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell a request to waive the noise ordinance to allow for a victory celebration by University of Michigan fans following tonight's NCAA Championship game between Duke and U of M

THE MOTION TO WAIVE NOISE ORDINANCE CARRIED UNANIMOUSLY AND COUNCILMEMBER CANADY PERFORMED AN INSPIRING RENDITION OF THE U OF M VICTORY SONG

2/ From Councilmember Canady a letter from the Ingham County Drain Commissioner regarding the Combined Sewer Overflow Project

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ From Councilmember Canady a memo from City Attorney. Al Knot recommending non profit status for Michigan Hispanic

Cultural Arts Association

HANDLED AS RESOLUTION #193

4/ From Councilmember Schmidt a letter regarding the renovation of Kendon Park

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS

MOTION OF EXCUSED ABSENCE

By Councilmember Canady

To excuse Councilmember Benavides from tonight's proceedings

Carried unanimously

MAYOR'S REMARKS

Mayor McKane introduced his father, Kenneth McKane, who will celebrate his 78th birthday this Saturday. Mr. McKane received the congratulations of President Crawford on behalf of Council.

COUNCILMEMBER'S REMARKS

Councilmember Belen asked Mayor McKane to have Traffic Engineer, David Berride and his staff investigate the situation with right turns at the intersection of Grand and Saginaw St.

Councilmember Ford asked Mayor McKane to have his staff check to see if Seymour St. had ever been designated as a major street. He is concerned with the level of traffic they experience.

CITIZENS MAY COMMENT

David Banbury of 725 N. Chestnut asked if the City has a policy of non-enforcement of parking regulations for law enforcement officers. He is especially concerned in view of Eaton County Sheriff Art Kelsey's recent stop for drunk driving. He feels that law enforcement officers should have to obey the same laws as everyone else.

Max Zemer of 527 Edison, Union Representative for employees of the Board of Water and Light spoke regarding the return on investment paid to the City by the Board of Water and Light. He suggested that a larger payment on return would force rates up and eventually lead to a worsening business climate in the city.

Lloyd Teets of 116 E. Elm St. said the Board of Water and Light is a liability to the City of Lansing. If the BWL was a private business subject to property tax payments, Lansing School District, CATA, and LCC would receive millions of dollars per year from their share.

William Bernstein of 420 Baker St. charged the City Attorney's Office, the Building Department and District Court with religious persecution.

Frank Curtis of 1136 W. Allegan said City Council Rule #19 violates First Amendment rights to freedom of speech. He remarked that an earlier speaker mentioned Sheriff Kelsey and was not ruled out of order. He said that what is happening at Olivet College is a shame. He said Council has turned him into a criminal. He has the right to petition Council for redress, of his grievances. Councilmember Ford responded to Mr. Curtis comments by saying that it is a shame that Mr. Curtis was arrested a few weeks ago in Council. He tried to

get that paragraph stricken from the rules because, in his opinion, it calls for too much discretion on the part of Council President. However, he cautioned Mr. Curtis that the laws protecting freedom of speech are tempered by "time, place, and manner of address" considerations.

Gracie Ansley of 2034 W. Lenawee spoke regarding a house at 1005 W. Lenawee, owned by Missionary Baptist Church. She was to have met with Councilmember Ford following last Monday's Council meeting regarding possible building safety violations at this property. Councilmember Ford advised her that he had made arrangements for a Building Inspector to go out to inspect this house and report back to him.

John McKissic of 216 S. Logan said that he feels the Building Safety Department is harassing him. He has taken two permits out to repair this property and now they have a demolition order on it. Mayor McKane asked Mr. McKissic for a phone number at which he could be reached to set up a meeting with staff regarding this problem.

James DeRocco of 3815 Donald said he is still having problems with parking in the fire lane of the Alley between Allegan and Washtenaw. He said workmen are parking their vehicles in the lane for 8 hours at a time. He asked to have the vehicles that park there day after day checked out and ticketed.

Brian Decker of 5503 Joshua #23 complained about the cost of parking for Lansing Community College Students. He said it costs them up to \$2 to \$3 per day to park and they cannot afford it. Councilmember Ford suggested that students use the City's newly developed "Fast Trak" lot. This lot has shuttle service that runs right past LCC, and only costs \$15.00 per month. Mayor McKane added that the City recently offered LCC's administration a chance to co-develop parking space in the Northside Parking Ramp. However, LCC declined the City's offer. Consequently the City did not build as large a parking facility as it otherwise would have.

Gary Andrews of 560 Brookland Blvd. noted that the Council clock was not set for the correct time. He repeated his request that a digital timing device be installed that will allow public speakers to see the amount of time they have remaining. He said the Board of Water and Light needs to replace the Flag they are flying on top of their building. He objected to Council President referring to people who attend Council meetings as guests. He described the meeting earlier tonight as disorderly.

Douglas Fairbanks, no address given, said his light bill is only \$5 per month, and he gets free light bulbs too! He suggested WWF matches as an alternative television show for people who are not interested in watching the NCAA Championships.

ADJOURNED 8:36

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

123

Proceedings, April 13, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
April 13, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. on Monday, April 13, 1992 and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of March 30, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen an Easter Card from the Fairbanks Family

2/ From Councilmember Canady a resolution of Tribute to Nellie Nussdorfer, former member of the Board of Education

3/ From Councilmember Canady an application for appointment to the Police Commissioners Board

4/ From Councilmember Ford a request for non-profit status from 'Adoptee's Search for Knowledge'

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Priscilla Holmes of 220 Reo Rd. speaking on her own behalf disagreed with the resolution ratifying the agreement between Teamsters and the City for the Reduction of Force plan. She said the Retirement System is not strong enough, and Council has not used enough discretion in identifying the employees eligible to retire under this plan

Councilmember Canady asked Steve Duarte, Director of Finance to give an explanation of the system and how it works. Mr. Duarte stated that both systems are very well funded, extremely safe, and right on target in terms of preserving retirement benefit for

employees. He indicated that this early retirement would reduce the City's budget by 2 million dollars per year.

Councilmember Belen asked about the accuracy of the percentages quoted by Mrs. Holmes. Mr. Duarte said there were many factors to consider in determining the rate of funding of the system. New employees do not go into the same plan, they go into a different plan with different funding.

Councilmember Ford asked Mr. Duarte to go into more detail regarding the reduction in cost the early retirement plan will effect. Ford said it would be cheaper than the cost of unemployment in the event of layoffs. It is expected that 140 people will take advantage of this plan.

Councilmember Schmidt asked if the Health Care System is open ended. Mr. Duarte responded that there are two different packages. These monies have been set aside already.

Councilmember Canady said he feels this is a good plan and will reduce the City's labor forces in a humane and cost effective manner.

Councilmember Beal stated her concern over the percentages mentioned by Ms. Holmes. Mr. Duarte said that even with the reduction in funding this plan is very strong. After 1990 the system was 82% funded.

Councilmember Benavides said that this proposal is nothing new to Council. They have discussed early retirement during the budget hearings every year for the last 5 years. He said the Council asked the Budget Director to put this proposal together some time ago. He said this is a well thought out plan.

Howard Jones of 426 W. Barnes said he agrees with Ms. Holmes concerns. Pension plans are failing all over the Country and the City does not have the resources to support a failed pension plan. He also objects to this decision being made in closed session.

Bruce Stark of 1147½ S. Washington said he agrees with Ms. Holmes and Mr. Jones, Council should take more time to understand what they are doing so that they can better explain it to the public.

David Hine, homeless, speaking on behalf of homeless people everywhere, said he has been in jail for 1½ months. Council President Crawford informed Mr. Hine that he must confine his comments under this portion of the agenda to action items.

Councilmember Ford moved to allow Mr. Hine 2 additional minutes in which to finish his comments. Motion failed by a vote of 2 Yeas/6 Nays. President Crawford told Mr. Hines that he could comment at the end of the agenda, under the Citizens Comment portion.

Walker Lewis Ruffon of 615 Butler said Council does not have the right to tell people that they cannot address them.

Billy Mendenhall, President of Teamsters Local #580 told the

meeting that this offer was negotiated with Teamsters. They do not want to hurt the city, its' residents, or its' employees present or future. He said Mr. Duarte was correct, as long term employees leave, new employees go into another system. In this way the cost of funding new employees does not escalate at the rate that the cost of this system does. They do not want to see involuntary layoffs, which is the alternative.

Mary Margaret Woll said that she does not think Council understands the budget report. She asked if they consult more than one Actuary for an opinion. She feels this plan is being pushed through too fast.

Paul Scott of 1223 Larned said he supports the statements made by Mrs. Woll. This fund approaches a 25% unfunded liability. He thinks this could affect the city's ability to provide services in the future. He said they should take more time to help the public understand what is being done.

Gerald Graves of 1623 S. Genesee, former Mayor of the City of Lansing, asked how many of the top administrators of the City will be eligible to retire under this plan. He said that in the last 9 to 10 years salaries of these administrators has nearly doubled. He recommended that one formula be used to compute retirement benefits for lower echelon employees and another for top level administrators.

Frank Curtis of 1136 W. Allegan said this is an expensive retirement plan and he asked that Council be fair to the working people in these matters.

Harold Leeman of 529 N. Francis asked Council to delay action on the reduction in force resolution for two weeks. He said they need to hold more discussion open to the public. He asked if the Mayor's recommendations for reappointment to City Boards would be approved tonight. President Crawford said there is no motion to that effect. He said that Council should have approved the claim settlement for Conrad Larson last week.

Ruby White, a City of Lansing employee, said she does not feel that these discussions tonight are fair to City employees. She said that they contribute heavily from their paychecks to this system, and, if residents are going to get involved in negotiations, they should be more well informed. This bargaining unit has given up more than any other bargaining unit in the city of Lansing.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Claim appeal from Dear L. Atwood, phone number 371-2848

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

B. Letter from Capital Region Airport Authority submitting their proposed FY 1992-1993 Budget, and giving notice of the Public Hearing to be held Monday, May 4, 1992, 1:00 P.M., Authority Offices, Capital City Airport

RECEIVED AND PLACED ON FILE

C. Letter from Don and Virginia DeCair of 1602 W. Rundle regarding the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letter from Betty Pond, Volunteer of Lao Family Community, Inc. requesting a waiver of rental fees for Francis Park for the Hmong New Year Celebration on October 3, and 4, 1992 8:00 A.M. to dusk, and permission to conduct a fund raiser at the event

REFERRED TO THE MAYOR AND
THE COMMITTEE ON GENERAL SERVICE

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mr. Boyd outlined Mayor McKane's letter #5, Michigan State Housing Development Authority (MSHDA) Grants and #11-16 appointment to City Boards.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #194

April 13, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Gary F. Turla, William Smith, Craig A. Whitford, Timothy J. Morland, Stephen Rosen

BUILDING WRECKER: Ace Wrecking Co., Homrich Wrecking Inc. Cadwell Brothers Construction Co.

CABARET: Dream Girls

ICE CREAM PEDDLER: Little Lulu

PEDDLER: Gunter Nartelski

PUBLIC DRIVER: Michael David Reed, Steven K. Buerger, Dale D. Parham, Steven G. Larkins, Paul F. Cassel, Karl Koenigsmann, Daniel L. Singles, Bennett W. Hart, Michael J. Dumeney

SECOND HAND DEALER: Capitol Discount (2), Clark's Gun Shop

SIGN ERECTOR: Fabriccraft Inc., Lorencen Signs dba Central Adv., IDL dba Quality Awning Signs

WRECKER SERVICE: Ronald J. Waligorski, Starter & Alternator Shop Inc., Orther Blocker, Pops Towing/Larry Leslie Howard, LGW Inc., dba L & L Mobil Service, Duane s Shell Inc., Marvin R. Kessler, Jr.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt:

To excuse her from the vote on the Cabaret License for Dream Girls because of moral objections, and to separate this item from the other licenses for the purpose of the roll call vote

Carried unanimously

By Councilmember Ford

To place an affirmative roll on the applications for license and bonds with the exclusion of the Cabaret License for Dream Girls

Carried unanimously

By Councilmember Ford

To place an affirmative roll on the application for Cabaret License for Dream Girls

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford

Nays: Councilmembers Crawford, Schmidt

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 6, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from Cable Advisory Board regarding Community Cablecasting Grants from FY 1991-1992 funds

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Cancellation of Traffic Board Meeting for April, 1992

RECEIVED AND PLACED ON FILE

2. Resolution Setting Fee for Waste Hauler License

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Recommendation for Cost of Recycling Bins

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Demolition of Dangerous Building—Grace Chemical Site

RECEIVED AND PLACED ON FILE

5. Grants Approved by Michigan State Housing Development Authority:

-Council Against Domestic Assault (\$31,543)

-Loaves and Fishes (\$19,119)

-National Council on Alcoholism (\$75,000)

RECEIVED AND PLACED ON FILE

6. Purchase of Ambulance from Wilson Professional Vehicles

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7. Transfer of Grand Woods Park to Delta Township

REFERRED TO THE COMMITTEE OF THE WHOLE

8. Letter from the Quilt Committee Regarding AIDS Memorial Quilt

RECEIVED AND PLACED ON FILE

9. SLU-18-91. Northwest Corner Aurelius and Jolly Roads

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

10. Z-1 92, 228 North Chestnut

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

11. RESOLUTION #195

April 12, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of Joe L. Wilcox to the Building Board of Appeals. This term will expire June, 1996.

Your confirmation of this appointment will be appreciated.

Sincerely,

Terry J. McKane, Mayor

By Councilmember Belen

To accept the recommendations of the Mayor

Carried unanimously

12. RESOLUTION #196

April 12, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of Connie Marin to the Board of Fire Commissioners. This term will expire June, 1996.

Your confirmation of this appointment will be appreciated.

Sincerely,

Terry J. McKane, Mayor

By Councilmember Belen

To accept the recommendations of the Mayor

Carried unanimously

13. RESOLUTION #197

April 12, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of Betty J. Nixon to the Human Resources Board. This term will expire June, 1996.

Your confirmation of this appointment will be appreciated.

Sincerely,

Terry J. McKane, Mayor

By Councilmember Belen

To accept the recommendations of the Mayor

Carried unanimously

14. RESOLUTION #198

April 12, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of Tom Eifert to the Plumbing Board. This term will expire June, 1996.

Your confirmation of this appointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Belen

To accept the recommendations of the Mayor

Carried unanimously

15. RESOLUTION #199

April 12, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of June Knostman and Jeffrey J. Abood to the Public Service Board. Their terms will expire June, 1996.

Your confirmation of these appointments will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Belen

To accept the recommendations of the Mayor

Carried unanimously

16. RESOLUTION #200

April 11, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of Bill Brenke to the Board of Review. This term will expire June 1995.

Your confirmation of this appointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Belen

To accept the recommendations of the Mayor

Carried unanimously

17. Resignation of Mary Ellen Krauss from Capital Area Rail Council

RECEIVED AND PLACED ON FILE

18. Appointment of David McCreight to Police Community Relation Board

RECEIVED AND PLACED ON FILE

19. Spring Community Center Hours

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #201

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor and City Council have agreed that a reduction in force is necessary to reduce General Fund expenditures; and

WHEREAS, the City has negotiated a reduction in force plan with the Teamster Supervisory Unit and Teamster Clerical Technical Professional Unit; and

WHEREAS, the City also intends to offer the same plan to the City's Exempt and Executive employees to further facilitate the reduction in force in those groups; and

WHEREAS, the City Council has extensively reviewed the plan and its costs and savings; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby ratifies the Voluntary Reduction in Force Plan with the Teamster supervisory and Teamster Clerical-Technical-Professional units; and

BE IT FURTHER RESOLVED that the same plan shall be offered to Executive and all other non-unionized (excluding District Court) civilian personnel; and

BE IT FINALLY RESOLVED that the actuarially determined pension costs for this plan be funded by mandatory reduction in the number of authorized positions as set forth by the Mayor.

By Councilmember Ford

To table this item for further consideration by the Committee of the Whole

Defeated by the following vote:

YEAS: Councilmember Ford

NAYS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Schmidt

By Councilmember Beal

To amend the resolution by striking paragraphs number three and six

Motion withdrawn by Councilmember Beal

By Councilmember Canady

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady,

Crawford, Ford, Schmidt

NAYS: Councilmember Beal

RESOLUTION #202

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Conrad S. Larson filed a claim against the City in the amount of \$270.60 in protest of a special assessment for removal of trash against his rental property located at 1017 Euclid, basing his claim on faulty notice of the violation; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim, including his copy of the violation notice, which did not indicate a time period for compliance or a date for reinspection of the property; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Conrad S. Larson in the amount of \$270.60; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to either make payment of this amount or remove the special assessment from claimant's property after appropriate releases are signed by the claimant.

April 13, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #203

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on Saturday, April 11, 1992, former Lansing Board of Education member Nellie K. Nussdorfer passed away at the age of 86, and

WHEREAS, Nellie Nussdorfer was actively involved in public education for many years, serving in various PTA capacities including president of the Lansing PTA Council, and serving 17 years on the Board of Education; and

WHEREAS, during her terms on the Board, Nellie expressed the courage of her convictions as the school district faced problems of rapid expansion and social change, leading to many new school

buildings, the Beekman Center, a new public library, the founding of Lansing Community College, and implementation of mandatory busing to desegregate the schools, as ordered by a federal district judge; and

WHEREAS, Nellie's community involvement also included the Salvation Army Advisory Board, the Lansing Women's Club, the Human Relations Committee, the Dental Health Committee, the Friends of the Lansing Public Library, and many leadership positions within the Baptist Church;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of April, 1992, hereby commends the life and accomplishments of NELLIE K. NUSSDORFER for her outstanding service to the People of Lansing, and expresses most sincere sympathy to her children and their families.

By Councilmember Canady

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Belen an Easter Card from the Fairbanks Family

RECEIVED AND PLACED ON FILE

2 / From Councilmember Canady a resolution of Tribute to Nellie Nussdorfer, former member of the Board of Education

HANDLED AS RESOLUTION #203

3 / From Councilmember Canady an application for appointment to the Police Commissioners Board

REFERRED TO THE MAYOR

4 / From Councilmember Ford a request for non-profit status from 'Adoptee's Search for Knowledge'

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

EXECUTIVE ASSISTANT TO THE MAYOR REMARKS

Mr. Boyd said that he hopes that the Executives and Administrators who are included in the City's Exempt and Executive Employee pension plan will not take anything that was said tonight personally. They should not feel ashamed for leaving with the kind of dignity they deserve. He stated his appreciation of these people, with whom he has worked for the past seven years. He reported to Councilmember Ford that Seymour St. has been a major street for 20 years or more. In answer to Councilmember Belen's remarks last week about right turns at Saginaw St. and Grand Ave., he has information for her. He said that the alley behind the Farnum Building is a privately owned alley. The City cannot do anything about restricting parking in this alley unless the owners ask them to. He reported that a Safety Conference is being held at the

Lansing Center this week, and this may create some traffic flow problems for people attempting to access the North Grand Parking Ramp in the morning hours. People should allow for a little extra time. He read the following letter from the Michigan State Housing Development Authority:

The Honorable Terry J. McKane
Mayor, City of Lansing
124 West Michigan Avenue
Lansing, Michigan 48933

Dear Mayor McKane:

I am pleased to inform you that the Michigan State Housing Development Authority (MSHDA) has approved grants to the below list of homeless shelters located in Lansing.

Council Against Domestic Assault—\$31,543
Loaves and Fishes—\$19,119
National Council on Alcoholism—\$75,000

The grants were processed under the Emergency Shelter Grant component of the MSHDA Homeless Program. Shelters will use the funds for start-up of new shelters, expansion of current shelters, operating costs, essential services, and acquisition.

If you require additional information, please feel free to contact Gary Heidel, Director of Policy & Intergovernmental Relations.

Sincerely,
James L. Logue III, Executive Director

COUNCILMEMBER'S REMARKS

Councilmember Beal said that she, along with Councilmembers Ford and Brockwell, participated in a game last Saturday conducted by Congressman Howard Wolpe called SimSoc, which simulates a society. She said their society failed in the first session. She thought the game was very interesting and enjoyed taking part in it, even though they were the first society ever to fail in the first term.

Councilmember Ford thanked Congressman Wolpe for giving them the chance to take part in the game. He said that the players found that they were too concerned with their own regions rather than acting for the community as a whole. He asked the Mayor's office to investigate complaints they have gotten from the residents on Spencer St. Vendors are selling food to High School kids who are throwing the wrappers and trash on the ground.

Councilmember Brockwell explained that the different regions were represented by all different segments of society; high, middle, and low incomes and all different types of ethnic backgrounds. When the society died it was everyone's fault not just government officials.

CITIZEN'S COMMENTS

Ward Cameron, 92 year old, retired Ingham County Sheriff, said he has heard that the City will do away with the Parks Police. He predicted that this would cause trouble with youths. He was Lansing's first Parks Policeman and he still keeps in touch with current Parks Police Officers. He said taking care of parks has been his life's work. It is an important function of the City.

Frank Curtis of 1136 W. Allegan spoke regarding First Amendment

Rights and Freedom of Speech limitations. He said Councilmembers frequently violate Rule #19 as it pertains to comments unrelated to official City business.

Andrew Anthos of 216 W. Holmes speaking to the people of the City of Lansing, turned his back on the podium and Councilmembers, and addressed his remarks to the audience. He spoke regarding the lighting of the Capitol Dome. President Crawford directed Mr. Anthos to address his remarks to Councilmembers and confine them to city business. Mr. Andrews persisted with his manner of address. President Crawford asked the Sergeant at arms to escort Mr. Andrews to his seat and informed Mr. Andrews that unless he complied he would be escorted out of Chambers.

William Bernstein of 420 Baker St. offered a silent prayer. He accused the city of religious persecution and Judge Woods, Al Knot, and John Roberts of obstruction of justice.

Lloyd Teets of 116 E. Elm St. commented on President Crawford's letter to the Editor of the State Journal. He referred to a quote of President Crawford, appearing in the April issue of Capitol Times magazine, in which he called Council meetings a "Dog and Pony Show". He questioned whether or not the Board of Water and Light employed any members of the IBPEW Union.

Bruce Stark of 1147 S. Washington Ave. said there is good news for S. Washington St. area. They are turning their neighborhood around. They have employed a sidewalk cleaner, like the Washington Square Mall Authority does, and a new restaurant is moving in. They also have evening patrols to keep crime out of their community.

Dr. Earl T. Pauly, no address given, spoke regarding the resolution passed by Council establishing a policy and program for a drug free work place environment. He stated his concern over the cuts to the School Districts budget. He said people should not criticize Councilmembers.

Douglas Fairbanks, no address given, spoke regarding the NCAA Championship game between Duke and Michigan last week. He thinks next years Championship game will be between Indiana and Michigan.

Jack Gunther of 211 Black Court stated his support of the early retirement plan and his hope that some of the higher level positions can be eliminated and more workers put on. He said he is in favor of the sale of park land to Delta Township. They have done a better job of taking care of this property than the City did, however, the City should get the money from any sale of the property. He is concerned over the City's interest in dipping into funds from the Board of Water and Light. They are providing a very good service to the residents of the city at reasonable rates. He asked Council to find other means of funding.

Harold Leeman of 529 N. Francis asked Councilmember Benavides about the progress of the Cat Ordinance. Is there any projection as to when they will adopt it? Councilmember Benavides responded that the Ways and Means Committee will invite the DeCairs to their next meeting, however, unless a miracle happens with the City's finances he does not see it being adopted this year. He suggested that the City allow Delta Township the use of the park property providing they fund the upkeep, and if there is a sale the land will still belong to the City. He said that there has been bad public relations caused by the late adoption of a resolution

governing spring hours for Lansing Community Centers. At least one individual has had to make other plans and take their business elsewhere.

Mr. Hine, a member of the homeless community, said he has been in jail for the last 1½ months. He was arrested because he was homeless. He was frisked and hit with a billy club. Then he got a bill for \$134.34 for the experience. He filed a complaint with the Internal Affairs Division of LPD, or thought he did, but the Officer who was taking his complaint never filed it.

Larry Williams of 1212 N. Walnut spoke regarding the unfair treatment of the public under the Public Comment portion of the meeting. He said it is discriminatory. Mr. Fairbanks talks about WWF and is not cautioned, but when Mr. Anthos talks about the Capitol Dome he is. He remembered that Councilmember Beal had previously stated that she would never vote for extra time for anyone regardless of the circumstances. Last week she voted for extra time for the Union Representative who was talking about the Board of Water and Light but she will not do so for Mr. Teets.

ADJOURNED 9:40

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

130

Proceedings, April 20, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
April 20, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. on Monday, April 20, 1992 and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal, a letter from Dorothy Jones of 426 W. Barnes Ave. suggesting specific budget cuts

2/ From Councilmember Beal, a letter from Pam Hilton of 631 Edison regarding a recent Potter Park Zoo fund raiser and the disposition of monies collected from it

3/ From Councilmember Canady, a resolution by the Committee of the Whole establishing a weekly "live" Open Forum to be aired on Cable Channel 28 prior to Council meetings to allow members of the public to address the community

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke in opposition to the proposed fee for the licensing of Waste Haulers. He said that the proposed "Open Forum" is not a viable substitute for being able to address your City government officials. He does not attend City Council meetings to address the television audience, he comes to address Council.

Dean Attwood of 1217 Pulaski spoke regarding the resolution of denial on his claim against the City. He said he has been cited for many different violations over the last few years and has attempted to cooperate with the City in each case. He has appeared in Court on three separate charges. At the expiration of Mr. Attwood's 5 minute speaking time, Councilmember Ford moved to allow him 2 extra minutes. Motion failed by a vote of 2 Yeas/6 Nays.

Harold Leeman of 529 N. Francis said he hopes that once a new photocopy fee structure is established the public will still be able to

obtain copies of items from the agenda at no charge. He asked for an amendment to the resolution to this effect. Regarding the proposed "Open Forum", he suggested that Council have a round table discussion with the public prior to the Council meetings to explain the agenda items and accept comment on them.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter from the Eaton County Drain Commissioner submitting "Compiled Rules of the Drain Commissioners Office"

RECEIVED AND PLACED ON FILE

B. Letter from Lloyd Teets regarding his law suit against City Councilmembers

RECEIVED AND PLACED ON FILE

C. Letter from the State of Michigan, Department of Labor regarding the 1990 Part 7 Plumbing Code Rules, effective April 2, 1992

REFERRED TO THE MAYOR

D. Letter from Chuck and Robin Gorman of 3313 Turner St. regarding problems with traffic on Turner St. south of Sheridan Road.

REFERRED TO THE MAYOR

E. Letter from South Central Neighborhood Organization regarding the Community Service and Referral Center

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

MAYOR MAY COMMENT

Mayor McKane outlined his nine letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #204

April 20, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely

processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Robert E. Howe, Jr.

BOWL ALLEY/POOL ROOM: El Azteco

BUILDING WRECKER: Michigan Construction, Inc., Davis Construction, Inc., Bierlein Industrial Services, Bierlein Demolition Contractors

BUILDING MOVER: Davis Construction, Inc.

CABARET: Kelly's Inc., Bonnie's Place

PUBLIC DRIVER: Daniel D. Shipman, Martin J. Barron, James Edward Simpson, Javier Cavazos, Kenneth W. Green, Douglas D. Bateman, Robert R. Brown, Anthony J. Donitelli, Jimmie A. Swanson, Jerry L. Myers, Allen E. McGrew, Leroy D. H. Ford, Anarion Frazier, James M. Reynolds, Charles A. Mitchell, Robert J. Bute, Brian Taylor Campbell, Randall G. Glumm

SIGN ERECTOR: Terrell Assoc., Douglas Sign Co., Stanley L. Martin, Mid-Michigan Stamps & Signs Inc.

WRECKER SERVICE: Bobbie Joe Finley, Eugene D. Hetherington, Bob Finley, Sr., O'Donnell's Repair, Fred Phiefer, Shroyer & Central Towing Inc., Kirk Duane David

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

CARRIED UNANIMOUSLY

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 13, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. RESOLUTION #205

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: April 13, 1992

SUBJ: Request for Public Hearing re: Demolition of 139 South Larch St., 810 Chicago Ave., and 525 West Sheridan Rd.

The attached request for public hearing is forwarded with my concurrence for your review and appropriate action.

By Councilmember Brockwell

To accept the recommendations of the Mayor and set a public hearing for May 4, 1992 in consideration of an order for make-safe or demolish on the above stated properties

Carried unanimously

2. Homesteader Selections of 1209-11 N. Chestnut (Sylvia C. Caorera) and 1127 W. Allegan St. (Theatrice Verser)

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. Lansing Housing Commission Computer Learning Center

Named as Semifinalist in Ford Foundation/Harvard University's Innovation in State and Local Government Program

RECEIVED AND PLACED ON FILE

4. Resolution for Extension of Sewer Service in Lansing Township

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5. Expansion of Lansing Main Post Office

RECEIVED AND PLACED ON FILE

6. Lloyd Teets v City of Lansing

RECEIVED AND PLACED ON FILE

7. Appointment of Lee A. Canady to Board of Police Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8. Final Statement of CD Objectives and Projected Uses of Funds

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND THE
COMMITTEE ON WAYS AND MEANS

9. Drain Right of Way in Willoughby Park

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #206

The Public Safety Committee

To whom was referred the Mayor's report on a citizen request to prohibit parking on the north side of West Rundle Avenue between Chatham Road and Pattengill Avenue. reports as follows:

The Transportation Division, Traffic Board and Mayor recommend that the request to prohibit parking on the north side of West Rundle Avenue between Chatham Road and Pattengill Avenue be denied. The committee has reviewed the report from the administration and concurs that the request to prohibit parking on the north side of West Rundle Avenue between Chatham Road and Pattengill Avenue be denied.

Signed: Alfreda Schmidt

Tony Benavides

Charles Ford

Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTION #207

THE COMMITTEE ON WAYS AND MEANS, to whom was referred two Administrative Transfers to provide funding for additional personal computers and peripheral equipment for use in L.P.D. and in District Court.

REPORTS AS FOLLOWS: The Budget Transfer Policy prohibits the expenditure of funds for any purpose not consistent with the specific intent of the original appropriation without the prior approval of the City Council. Pursuantly, the Committee has reviewed two transfer requests governed by this policy.

The first request is for the purchase of a personal computer, printer, and software to be utilized by the District Court. This purchase will be funded out of residual funds from the Witness and Jury Fee budget account. The cost is \$4,000.

The second request is for the purchase of three used Hewlett Packard personal computers and one new Packard Bell personal computer and monitor. This purchase will be funded from residuals in the Equipment and Operating Expenses budget accounts. The cost is \$3,277.

The Committee has reviewed these transfer requests, and now recommends their approval by the City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

April 20, 1992.

RESOLUTION #208

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the administrative decision to purchase a new ambulance from the second low bidder.

REPORTS AS FOLLOWS: The current Purchasing Ordinance requires that the Council be notified of the decision to not select a low bidder only after the decision is made. The Committee feels that this provision, and potentially other provisions, in the Purchasing Ordinance need to be reviewed by the Committee with the possible outcome of amending the Purchasing Ordinance. Accordingly, the Committee has assigned Council Staff to review the Purchasing Ordinance in its entirety, and report back to the Committee possible amendments to the Purchasing Ordinance.

This report is for information only, and no action is needed by the entire Council.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #209

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the request from Adoptees Search for Knowledge (A.S.K.) Inc. for a resolution of recognition as a non-profit organization operating in the community for the purpose of obtaining a license to

operate a bingo game from the State of Michigan Bureau of the Lottery.

REPORTS AS FOLLOWS: The Committee received a report from Staff that the requesting organization has an address in Delta Township, and that the Charitable Gaming Division of the Lottery Bureau advised that it is therefore inappropriate for the City to adopt a resolution of recognition. The organization has been contacted and instructed to request the needed resolution from the Delta Township Board of Trustees. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #210

April 9, 1992

COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-18-91

Northwest Corner of Aurelius and Jolly Roads

WHEREAS Condelco has requested approval of a special land use for the purpose of constructing a new retail store which will be located within the 100 year flood plain and floodway of the Sycamore Creek, located on the northwest corner of Jolly and Aurelius Roads and more particularly described as:

The east 208 feet of the south 308 feet of the southeast quarter of the southeast quarter Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan, except beginning at the point of intersection of the north right-of-way line of Jolly Road and the west right-of-way line of Aurelius Road; thence commencing north 30 feet, southwesterly 39.05 feet +/- to a point on the north line of Jolly Road 25 feet west of the intersection of said line; thence east 25 feet to point of beginning. Said property is commonly known as the vacant land at the northwest corner of the intersections of Jolly and Aurelius Roads in Lansing, Michigan; and

WHEREAS the Planning Board, at their meeting of April 7, 1992, reviewed this request as it relates to the requirements of the Flood Control Ordinance and the permit issued by the Department of Natural Resources and recommended approval subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves of this special land use request to allow for the development of a convenience retail store which would be located within the 100 year flood plain and floodway of the Sycamore Creek. It was further understood that this special land use request will expire on December 31, 1993, which is the same time frame placed by the Michigan Department of Natural Resources for their

flood plain permit. If construction has not commenced as of this date, the applicant will be required to request an extension or possibly re-apply for a new special land use.

By Councilmember Canady

Carried unanimously

RESOLUTION #211
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-008, which authorizes the installation of a yield sign on Hunter Boulevard for eastbound traffic at the intersection of Ridgewood Avenue and Wildwood Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #212
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-009, which authorizes the installation of a no parking zone on the east side of Cedar Frontage Road from Emily Avenue to 135 feet south of Cavanaugh Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #213
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, City Code Chapter 1063 requires persons engaged in the business of collecting, transporting, delivering or disposing of solid waste and/or recyclable materials and/or yard waste within the City to obtain a waste hauler license issued by the City; and

WHEREAS, the nonrefundable fee for a waste hauler license shall be determined by Council resolution;

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council approves the following fees for waste hauler licenses: \$40.00 for the first vehicle and \$20.00 for each additional vehicle licensed by the same person.

By Councilmember Benavides

Carried unanimously

RESOLUTION #214
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, City Code Chapter 1063 allows persons to purchase a replacement or additional City-approved recycling container at a fee determined by Council resolution;

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council approves a fee of \$5.00 for each replacement or additional City-approved recycling container.

By Councilmember Benavides

Carried unanimously

Item XII C-3 From the Committee of Ways and Means, Setting photocopy fees, was pulled from the agenda at the request of Councilmember Benavides and returned to the Committee

RESOLUTION #215
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the annual City budget process requires input from the citizens of Lansing; and

WHEREAS, a copy of the proposed budget is on file with the City Clerk and available for public review; and

WHEREAS, the Mayor has recommended a total property tax rate of 17.4 mills for FY 1992-93 which is identical to that levied to support FY 1991-92 expenditures; and

WHEREAS, it has been determined that .14 mills levied in FY 1991-92 within the City's debt service millage to support repayment of 1986 Transportation Bonds should be reclassified to the City's operating millage; and

WHEREAS, this would result in a operating millage of 15.04 mills and debt service millage of 2.36 mills, for a total of 17.4 mills, and

WHEREAS, the State of Michigan has frozen property tax assessment increases at 1991 levels pending November 1992 ballot proposals, resulting in no millage reduction factor under P.A. 5 of 1982.

NOW, THEREFORE BE IT RESOLVED, that the City Operating tax levy for FY 1992-93 be increased from 14.90 mills to 15.04 mills (\$.14 per \$1,000 SEV) and that the City debt service levy for 1992-93 be reduced from 2.5 mills to 2.36 mills (\$.14 per \$1,000 SEV); and

BE IT FURTHER RESOLVED THAT, a public hearing in regard to this proposed tax rate be set for Monday, May 4, 1992 at 7:00 p.m. in the City Council Chambers; and

BE IT FURTHER RESOLVED, that the public hearing in regard to the 17th Year Community Development Block Grant budget, including reprogrammed funds from previous years, will also be held on Monday, May 4, 1992 at 7:00 p.m. in the City Council Chambers; and

BE IT FURTHER RESOLVED, that the public hearing in regard to the the City of Lansing's FY 1992-93 operating and capital improvement budgets will also be held on Monday, May 4, 1992 at 7:00 in the City Council Chambers; and

BE IT FINALLY RESOLVED, that citizens of Lansing be notified of these hearings as required by law and charter, and encouraged to provide written and oral comments as to the FY 1992-93 Budgets and tax rate.

By Councilmember Benavides

Carried unanimously

RESOLUTION #216

BY COMMITTEE ON WAYS AND MEANS

4/20/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

\$2,195.00 from Pers. & Trng.-Bgt. Ctrl.

A/C 101-172800-992200-00000

2,195.00 to Adm. Ser.-Bgt. Ctrl.

A/C 101-173101-992200-00000

(Purchase job description software package, which assists in preparation of descriptions meeting ADA (Americans with Disabilities Act) requirements, and necessary hardware. (\$1,495 to 101-173130-743000-0, \$700 to 101-173130-977000-0)

\$6,000.00 from Est. Rev.

A/C 101-000000-170001-00000

6,000.00 to Adm. Serv.-Bgt. Ctrl.

A/C 101-173101-992200-00000

(Funds for personal computer and software for Robert Ryan as "reasonable accommodation". \$4,000 to 101-173130-977000-0 and \$2,000 to 101-173130-743000-0.)

\$735.00 from Est. Rev.

A/C 101-000000-170001-00000

735.00 to Hum. Res.-Bgt. Ctrl.

A/C 101-673701-992200-00000

(Funds for personal computer work station and ergonomic chair for Robert Ryan as "reasonable accommodation." To Memo Account 101-673701-977000-00000)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

Item XII D from the Committee of the Whole, Appointment to the Board of Ethics, was pulled from the Agenda and referred back to Committee

RESOLUTION #217

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dean Atwood filed a claim against the City in the amount of \$50 in protest of a fee billed for a second substandard premises violation within a calendar year regarding his residential property at 1217 Pulaski Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee determined that the claimant received

violation notices on May 16, 1991, and again on December 9, 1991, for substandard premises, and was billed the \$50 fee approved by Council as part of the fees resolution adopted on December 17, 1990; and

WHEREAS, the Committee recommends that the decision of the Claims Review Committee be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Dean Atwood; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Adopted by the following vote

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Crawford, Ford

NAYS: Councilmembers Beal and Schmidt

RESOLUTION #218

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the current Council Rules require that citizens wishing to address Councilmembers during Council meetings speak only on matters of City business; and

WHEREAS, several members of the community have told the Council that they wish to exercise their Freedom of Speech on any subject they choose during Council meetings; and

WHEREAS, this Council reserves the right to conduct its legislative sessions in accordance with its Rules, while still accommodating the desire of citizens for an open forum in which to voice their concerns on the City's cable television channel; and

WHEREAS, the Channel 28 Staff has confirmed the feasibility of a "live" open forum from 6:00 PM to 6:30 PM prior to each regular meeting of the City Council, during which members of the public could speak to the television audience on any matter, under a time limit determined by the number of speakers present;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Channel 28 Staff to schedule and cablecast a weekly "live" Open Forum, from 6:00 PM to 6:30 PM, prior to each regular meeting of the City Council, for the purpose of allowing members of the public to address the community; and

BE IT FURTHER RESOLVED to organize each Open Forum, the Staff shall prepare a list of speakers, from among those citizens present prior to 6:00 PM, and allow each speaker an equal amount of time which, when taken together, shall not exceed 30 minutes, and the Staff shall call speakers to the public podium in listed order; and

BE IT FURTHER RESOLVED Open Forum speakers shall be instructed on adherence to time limits, with a request to promptly leave the podium at the expiration of their speaking time so that the next speaker's time allowance shall not be infringed; and

BE IT FURTHER RESOLVED the Channel 28 Staff shall end each Open Forum not later than 6:30 PM; and

BE IT FURTHER RESOLVED citizens arriving after 6:00 PM shall not be permitted to speak at that evening's Open Forum; and

BE IT FURTHER RESOLVED neither Councilmembers, nor the Mayor, nor any other City employee other than the Channel 28 Staff shall be required to attend or preside over any Open Forum.

April 20, 1992

By Councilmember Canady

Adopted by the following vote

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Schmidt

NAYS: Councilmember Ford

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at:

Z-1-92—228 North Chestnut Street to be rezoned from "DM-3" Residential District to "D-1" Professional Office District

was introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #219

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 11, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-92—228 North Chestnut Street to be rezoned from "DM-3" Residential District to "D-1" Professional Office District.

By Councilmember Canady

Carried unanimously

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal, a letter from Dorothy Jones of 426 W. Barnes Ave. suggesting specific budget cuts

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ From Councilmember Beal, a letter from Pam Hilton of 631 Edison regarding a recent Potter Park Zoo fund raiser and the disposition of monies collected from it

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ From Councilmember Canady, a resolution by the Committee of the Whole establishing a weekly "live" Open Forum to be aired on Cable Channel 28 prior to Council meetings to allow members of

the public to address the community

HANDLED AS RESOLUTION #218

MAYOR'S REMARKS

Mayor McKane announced that the Women's International Bowling Congress will have a parade this Saturday at 10:30 a.m. with brunch following at the Holiday Inn South. He said this is the first time since the Nineteen Fifties that the Congress has held their annual competition in Lansing. He said next week is "Volunteer Week" and the City will honor its volunteers who sit on City Boards and Commissions. Each Board/Commission will choose a member to be honored in a Ceremony next Monday Night at 6:00 P.M. in the Lobby of City Hall. There will also be a presentation under the Special Ceremonies portion of next week's agenda which will include a tribute to Leonard McConnell.

COUNCILMEMBER'S REMARKS

There were no Councilmember comments

CITIZEN'S COMMENTS

Shirley Murray of 1721 Bradley, President of the South Central Neighborhood Organization, reviewed the problems they are having with the Community Service and Referral Center. She asked the members from SCNO attending tonight's meeting to stand. Approximately 15-20 members were in attendance to show their support of her request that the Center be moved out of their neighborhood and the City discontinue funding it. Mayor McKane told Ms. Murray that he has had a member of his staff spend approximately 25-30 hours in the center and surrounding community and the SCNO is correct in reporting the problems they are having. He has witnessed these problems himself and will be taking action to resolve them.

Dorothy Jones of 426 W. Barnes spoke regarding the letter she wrote, submitted as a late item by Councilmember Beal, protesting the budget cuts to the Parks Police Program. She called it an invitation to prostitutes and drug users to make use of City Parks. She advocates an increase to Parks Programs not a decrease. She said she does not mind paying taxes for Citizens Services, but she does mind paying taxes to support bloated salaries for Department Heads. Councilmember Belen told Mrs. Jones that she has some ideas for funding the Parks Police Program that she will discuss in their budget review this weekend.

William Bernstein of 420 Baker St. spoke regarding his dispute with the Building Department and his hearing for Disturbing a Public Assembly. He displayed a sign making personal charges against Councilmember Schmidt and was ordered by President Crawford to withdraw the sign.

Howard Jones of 426 W. Barnes spoke on behalf of the SCNO, saying they need the assistance of the City to prohibit the use of Public Telephones in the delivery of prostitution and drugs. Several public phones in their neighborhood are being used and he believes they are on City property.

Frank Curtis of 1126 W. Allegan spoke regarding the homeless tents that were removed from the lawn of the Capitol. President Crawford cautioned Mr. Curtis that he must confine his comments to City business. Mr. Curtis stated that the business he was addressing was of universal interest and that he has a constitutional right to discuss it here. He stated that Council Rule #19 was

written because of him. He displayed two books written about black heroes. President Crawford asked him to leave the podium and take his seat.

Lloyd Teets of 116 E. Elm St. said Council does not respect the people who address it. He relayed the information that former Councilmember Patrick Lindemann is running for office as a Drain Commissioner.

James Ford of 2219 Risdale spoke on behalf of the homeless of Lansing. He asked Council to donate the use of unoccupied City property as shelters for the homeless. He has a crew of volunteers who will rehabilitate these structures to bring them up to code and make them habitable.

Dr. Earl T. Pauley, no address given, commended Councilmember Ford for the progress being made in his district. He commented on the cuts to the Lansing School District budget. He asked for an explanation of why education suffered so many budget cuts when the State Lottery Commission contributes millions of dollars per year to education.

Douglas Fairbanks, no address given, said that the Community Service and Referral Center should be shut down. The City does not need this type of crime. He said he hopes police patrols in downtown Lansing are increased during the summer months because of bike traffic.

Harry Covell of 2908 Midwood said he and his family spent many months of the last year out on the streets because they were kicked out of their house because it was not up to code. He said he paid an attorney four hundred dollars to represent him in this matter, but the attorney did nothing. Now, he says, they are going to kick him out of his house again because the next door neighbors have broken out his windows. He said he could not get any support services from the City. President Crawford asked Mayor McKane to have his staff arrange for a meeting with Mr. Covell.

Ronald Kroger of 1841 Beal, a City of Lansing employee asked how the early out retirement offer was being funded. Councilmember Canady replied that it would be funded by the savings from payroll reductions amortized over a 30 year period. Mr. Kroger stated that his concern is that his own retirement plan will not be properly funded if the Reduction in Force program is implemented. He asked for a copy of the plan to look over. President Crawford instructed him to check with the finance department for a copy.

Lynn Parks of 607 N. Sycamore, an ADC recipient and a recipient of the City of Lansing Housing Development Program, spoke in support of the Community Service and Referral Center. She said that their funding has been cut so drastically that maybe they are not able to respond to the neighborhood requests.

Harold Leeman of 529 N. Francis asked Mayor McKane to look into the City's contract with the Convention/Exhibition Authority. He has experienced some difficulties in getting copies of their meeting agendas. They have not been forwarding them for posting in the City Clerk's office. He commented on the article in Monday's edition of the State Journal regarding travel expenses for City Personnel and the possibility of double dipping by department heads.

John Pavlik, of Pavlik Enterprises at 5401 S. Pennsylvania said he had property that was recently purchased by the City. He

complimented the professionalism of Ron Stonehouse, who handled the purchase for the City. He congratulated the City for purchasing the 500 Block of Michigan Avenue saying it was a good move.

ADJOURNED 8:50

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

137

Proceedings, April 27, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
April 27, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. on Monday, April 27, 1992 and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Brockwell

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

MINUTES

By Councilmember Ford

To approve the printed Council Proceedings from April 6, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

There were no late items for consideration

SCHEDULED PUBLIC HEARINGS

A. Approval for Transfer of Commercial Facilities Exemption Certificate from Philip Baldino to Michael J. Dionise for property at 610 S. Grand Ave.

There were no speakers at this public hearing

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

PUBLIC COMMENT

Harold Leeman of 529 N. Francis asked how much money the City would be donating to Lansing School District from the sale of land in Kendon Park? Councilmember Benavides answered \$15,000.00. Mr. Leeman questioned the feasibility of expanding the Ingham County Jail by building upwards onto the existing structure rather than implementing a plan for early release of prisoners. He said Lloyd Teets originally brought the issue of the return on equity by the Board of Water and Light to the attention of the Mayor and Council and should be given credit for it. Councilmember Ford responded to Mr. Leeman's concerns about the Community Corrections Advisory Board's Action Plan, saying they will not discuss expansion of the jail facility, as that is completely opposite to the objectives the plan has set forth. Mr. Leeman said this means prisoners released into the neighborhoods and he asked for more discussion on this.

Lloyd Teets of 116 E. Elm Street spoke regarding the resolution for an increased return on equity from the Board of Water and Light,

and their recent investment into the Belle River Plant. He said the City has lost over 1/2 billion dollars in taxes they could have collected from the Board which would also have benefitted the Lansing School District, CATA, and LCC.

James R. Giddings of 1621 W. Shiawassee, Circuit Court Judge for Ingham County spoke regarding the CCAB Action Plan. He said the CCAB along with 4 other task forces put this plan together. The plan will provide for early release of prisoners convicted of non-violent crimes. It works in conjunction with ACT 511 which is designed to eliminate jail overcrowding. A central factor of the plan is a Jail Population Monitor, which will look at and evaluate the alternatives available to prisoners. It will interact with other agencies to require prisoners to complete their educational needs, if necessary, or to place them with agencies for rehabilitation, if necessary. A new reporting process will evaluate all prisoners on their criminal charges.

SPECIAL CEREMONIES

A. Mayor McKane and Councilmember Canady presented a proclamation and resolution honoring the members of Youth Pac of the Capital Region Community Foundation to 17 of the group's members. The spokesman for the group said that they have received a grant from the Kellogg Foundation which will allow them to make local grants. They recently conducted a survey to identify problem areas Lansing Teens consider to be priorities. The survey identified the following four areas as being of the most concern; Drug and Alcohol use and abuse, Drunk Driving, Teen Pregnancy, and Juvenile Crime. They will make their first grant this spring to begin educational programs designed to help teens in targeted areas.

Mayor McKane presented proclamations to representatives of the Greater Lansing Youth Council, Kingsley Center Youth Advisory Board, MSU Student Volunteer Program, Youth Development Corps, and Boys and Girls Club of Lansing.

B. Mayor McKane along with Police Chief Jerome Boles, and Sharon Kellogg, Vice Chairman of the Board of Police Commissioners, presented a Proclamation declaring May, Leonard R. McConnell, Sr. Month in the City. Mr. McConnell's sons accepted the proclamation and thanked the Mayor, City Council and Councilmember Ford for the tributes the City has paid to their father. Police Chief Boles presented the McConnell family with a photo of Mr. McConnell which has hung in the lobby of the Police Department. Chief Boles said there is another copy of this photo which will be hung in the Cabinet of Honor in the Police Building.

C. Mayor McKane announced that the presentation of his Proclamation to Connie Knowlton would be postponed until next Monday's meeting

D. Mayor McKane presented certificates honoring some 52 volunteers representing the City's Volunteer Boards and Commissions in celebration of 'City Volunteer Recognition'

By motion of Councilmember Belen Council recessed for 5 minutes at 8:10 P.M. and reconvened at 8:15 P.M.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Claim appeal submitted by Roland Faulhaber of P. O. Box 16092, Lansing

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

B. Communication from the Lansing Housing Commission containing a revision to their meeting dates

RECEIVED AND PLACED ON FILE

C. Letter received from Sixty Plus, Inc. enclosing additional documentation in support of the claim of Deryl White at 4207 Stabler

REFERRED TO THE CITY ATTORNEY

D. Letter from Marion Probst of 4819 Gull Road, Apt. 11 regarding downtown parking enforcement

RECEIVED AND PLACED ON FILE

E. Letter from Patti Holland appealing Council special land use ruling for 3016 Risdale

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

F. Letter from the Ingham County Controller's Office regarding the Tri-County Metro Narcotics Squad Agreement

REFERRED TO THE CITY CLERK AND THE MAYOR

G. Letter from the Michigan Municipal League regarding the Annual Convention scheduled for Sept. 24-26, 1992

RECEIVED AND PLACED ON FILE

H. Notice received from Consumers Power Company of a hearing on May 4, 1992, regarding revised rules and rate sheets for their Gas Rate Schedule

RECEIVED AND PLACED ON FILE

I. Letter from the Department of Natural Resources regarding Industrial Pretreatment Compliance Inspection at Lansing Wastewater Treatment Plant

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane waived his right to comment on agenda items in view of the length of time taken to present proclamations to City Volunteers during Special Ceremonies.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #220

April 24, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Kirk D. David, Donald Warren Clingersmith, Richard M. Balogh, Steven J. Grob, Jeffrey Patrick O'Conner, Francis W. Miller, Richard F. Pratt, Harold W. Halstead, Douglas G. Galliers, Bert J. Goedert, Mark Stevens Richter
BUILDING WRECKER: Superior Enterprise, All-State Contracting, Inc.

RUBBISH HAULER: Garry Asphalt & Excavating
SIGN ERECTOR: Van Houten Electric Signs, Inc.

AUCTIONEER: Tal Rubin

PEDDLER: Gina Ellen Streeter

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 20, 1992, for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Resignation of Kathryn L. Haar from the Downtown Mall Advisory Board

RECEIVED AND PLACED ON FILE

2. Resignation of Rose Killips from the Planning Board

RECEIVED AND PLACED ON FILE

3. Memo from City Attorney regarding Lloyd Teets v City of Lansing and five Members of the Lansing City Council

RECEIVED AND PLACED ON FILE

4. Memo from City Attorney regarding Anthony Nealson, et al v City of Lansing, et al

RECEIVED AND PLACED ON FILE

5. Memo from Parks and Recreation Director regarding Washington Park—Restroom Options Update

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. Letter from United Way of Michigan regarding Employees Participation in the United Way of Michigan Activities

RECEIVED AND PLACED ON FILE

7. Sole Source Procurements made during 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. Board of Water and Light Return on Equity

REFERRED TO THE COMMITTEE OF THE WHOLE

9. Transfer of Commercial Facilities Exemption Certificate

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

10. Public Improvement III, Curb & Gutter and Storm Sewer, Jolly Rd. from Aurelius to Dunckel

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #221

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the report from the Mayor regarding a developer's request to allow surface water from the development to drain into the adjacent Willoughby Park by means of a storm drain easement,

REPORTS AS FOLLOWS: The Committee desires to review the terms of the proposed easement to insure that the developer and the Ingham County Drain Commissioner will defend and hold harmless the City from any liability arising from the easement. The City Attorney is directed to prepare the easement document and incorporate the requirement that any environmental damage to the Willoughby Park wetlands area shall be the responsibility of the developer. Further, the Attorney is directed to report to the Committee on the developer's past performance record. Also, the Committee desires a report on the availability of insurance coverage on the part of the developer for environmental and general liabilities that may arise from the proposed agreement. This report is for information only, and no Council action is required.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

Item XII A-1, Denial of Claim of Sarah Hernandez, was pulled from the agenda at the request of Councilmember Ford and referred to the Committee of the Whole

RESOLUTION #222

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Gary Ernst filed a claim against the City in the amount of \$527.20 in protest of two special assessments for cleanup by the City of two trash violations at his rental property located at 619 Baker Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim, saying that he never received notices of the violations; and

WHEREAS the Committee determined that the claimant did not give the City Assessor proper notification regarding acquisition of the property, and the trash violation notices were sent to the previous owners, but under City Housing Code Section 1460.22(d), the City's procedure for abating the trash nuisance is valid and the owner is responsible for the special assessment; and

WHEREAS, the Committee recommends that the decision of the Claims Review Committee be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Gary Ernst; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #223

By Committee on Physical Development

WHEREAS, the City of Lansing was awarded \$81,750.00 of Section 810 funds in Fiscal year 1991 to purchase Urban Homestead properties; and

WHEREAS, Development Division staff inspected several properties referred by the FHA and VA Regional Offices during Fiscal Year 1991; and

WHEREAS, property located at 1209-11 North Chestnut street legally described as:

North ½ of Lot 5, Block A, Subdivision of the Original Block 26 and 27 City of Lansing, Parcel No. 3301-09-302-121,

was found suitable for the City's Urban Homesteading Program; and

WHEREAS, Sylvia C. Cabrera was selected as the potential homesteader for 1209-11 North Chestnut Street; and

WHEREAS, property located at 1127 West Allegan Street legally described as:

North ½ of Lot 8, Block 2, Kempf's Addition on a part of Section 17, T4N, R2W, City of Lansing, Parcel No. 3301-17-402-311,

WHEREAS, Theatrice Verser was selected as the potential homesteader for 1127 West Allegan; and

WHEREAS, the City Charter of the City of Lansing, Michigan requires City Council approval of all sales of City property; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Lansing authorizes the Mayor to execute the sale agreements with the above named Urban Homesteaders; and

BE IT FURTHER RESOLVED, that the City Council authorizes the sale of 1209-11 North Chestnut Street to Sylvia C. Cabrera and the sale of 1127 West Allegan Street to Theatrice Verser, subject to the terms and conditions of said agreement and the City of Lansing's Urban Homesteading Procedures.

By Councilmember Canady

Carried unanimously

RESOLUTION #224

By the Committee on Physical Development

WHEREAS, the Charter Township of Lansing has requested sanitary sewer service be provided to the following addresses:

- *1609 Lake Lansing Road
- *601 Lentz Court

WHEREAS, it appears to the Township and the City that an extension of such service will be of mutual benefit to both parties.

BE IT RESOLVED that the extension of sewer service to the addresses as indicated here in is hereby approved subject to the following conditions:

1. The Township, shall submit the following data:
 - A. The legal description of the area to be served;
 - B. Anticipated maximum sewage flow;
 - C. The name(s) of the owner(s) of record of all parcels of land located within said area and the name of the developer of said land, if the identity of the developer is known and is not an owner;
2. Prior to the award of any construction contracts or the issuance of required permits, the Township shall submit to the City a "Utility Equity Investment Fee". Said fees are \$4096.05 per acre and shall be revised on July 1 of each year. Said Utility Equity Investment Fee shall be computed on the basis of the formula and method as determined by the Finance and Public Service Departments.
3. The City of Lansing will not participate in any costs for the extension of sanitary sewers or appurtenances, right of ways required, or legal, engineering and inspection fees.
4. The City shall not be responsible for any costs of construction or maintenance of the individual house leads from the user's building to, and including the connection with the sewer main located in the street or within a sewer easement.
5. In the case of borderline streets, where the City has previously constructed a sanitary sewer, connections will be allowed, subject to the payment of the utility equity investment fee and payment of the assessment cost as previously paid by residents of the City, and subject to all other provisions of this agreement.
6. A permit from the Department of Public Service from the City of Lansing shall be obtained prior to any sanitary sewer construction work. Detailed plans and specifications prepared by a registered Engineer shall be submitted to the Lansing City Engineer for review and approval prior to issuing the sanitary sewer construction permit.
7. If at all practical all sewer lines shall be placed in street Right of Way. If easements across private property are required, the Township shall acquire same at Township expense and in the name of the Township. Said easements shall be assigned to the City of Lansing, for the purpose of constructing and maintaining sanitary sewer system. All easements shall be properly recorded.
8. Upon completion of sewers' construction, submittal of mylars of As-Built plans and/or 3.5" diskette of As-Built AutoCad files, and prior to placing said system in use, satisfactory evidence shall be submitted to the City Engineer that the plans and specifications have been fully complied with and that the sewers may be placed in service. Upon submitting such evidence and documents as may be required by the City Engineer, he/she shall, within thirty (30)

days thereof, issue a letter of acceptance to the Township, and the City will then accept the system for maintenance and the sewage for treatment.

9. Permits for all connections to the main sewer will be required to assure that adequate records are maintained. Permits shall be issued by the Department of Public Service of the City of Lansing, prior to Lansing Charter Township issuing a building permit.

10. The Department of Public Service of Lansing shall maintain all records pertaining to the extension of services. The Department of Public Service of Lansing shall also provide all necessary forms or permits.

By Councilmember Canady

Carried unanimously

RESOLUTION #225

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT
AND THE COMMITTEE ON WAYS & MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, by resolution adopted March 13, 1989, this Council approved the sale of a strip of land along Kendon Park, and reserved the sale proceeds for improvements to the park; and

WHEREAS, since the adoption of the resolution, the envisioned improvements to Kendon Park have been made, and additional funds remain from the sale proceeds; and

WHEREAS, an agreement has been reached with the Lansing School District on use of these sale proceeds for improvements to the play area between Kendon Park and Kendon School owned and maintained by the school district; and

WHEREAS, during a neighborhood meeting, area residents expressed support for improvements to the school play area, and urged the City to make the sale proceeds available to the school district; and

WHEREAS, the proposed improvements have been reviewed by the Committee on Physical Development and the Committee on Ways & Means and received a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves a donation of the remaining reserved funds, amounting to \$14,103.05, from the 1989 sale of a public alley along Kendon Park, to the Lansing School District for improvements to the play area between Kendon Park and Kendon School; and

BE IT FURTHER RESOLVED, such approval is conditioned on the Lansing School District's agreement that these funds are a one-time donation, that the school district shall be responsible for installation and maintenance of the improvements, and the school district shall defend and hold harmless the City of Lansing for any liability arising from public use of the improvements funded by the City; and

BE IT FURTHER RESOLVED the City Attorney is hereby directed to prepare an agreement between the City and the Lansing School District setting forth the above conditions; and

BE IT FINALLY RESOLVED the City Council, understanding that release of the \$14,103.05 cannot take place prior to execution of

such agreement, requests that the Mayor execute the agreement by June 1, 1992.

By Councilmember Canady

To discharge the Committee on Ways and Means

Carried unanimously

By Councilmember Schmidt

To accept a substitute resolution for the original

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the substitute resolution

Carried unanimously

RESOLUTION #226

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Community Corrections Act of 1988 (PA 511) authorizes the establishment of a Community Corrections Advisory Board (CCAB) for development of community corrections programming; and

WHEREAS, Ingham County and the City of Lansing formed a joint CCAB in 1990; and

WHEREAS, the CCAB has prepared a Comprehensive Community Corrections Plan and submitted an executive summary of the plan to the City and the County; and

WHEREAS, upon approval of the plan by the State Community Corrections Board, the County will be eligible for up to \$116,871 in State funds for the remainder of the 1991-92 State fiscal year and an estimated \$280,000 in each year thereafter; and

WHEREAS, the Committee on Public Safety has reviewed the executive summary with members of the CCAB, determined that the plan will have no immediate fiscal impact on the City, and recommended that the Council approve the concepts contained in the plan;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the concepts contained in the Executive Summary of the Community Corrections Comprehensive Plan prepared by the Ingham County / City of Lansing Community Corrections Advisory Board; and

BE IT FURTHER RESOLVED the City Council authorizes the CCAB to submit the plan and any associated grant application materials to the State Community Corrections Board for approval; and

BE IT FURTHER RESOLVED the City Council reserves the right to review and approve, in advance, any component of the plan's implementation that requires a financial commitment on the part of the City; and

BE IT FINALLY RESOLVED the Clerk is directed to forward copies of this resolution to the Ingham County Board of Commissioners and to the Community Corrections Advisory Board.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #227

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the future of our community, our state and our nation depends upon young people as they develop and mature to handle the affairs of tomorrow; and

WHEREAS, it is important to call to the public's attention the contributions and leadership potential of our City's young people in order to encourage adults to make good use of their enthusiasm, energy, and talents; and

WHEREAS, the YOUTH PAC of the Capital Region Community Foundation is working to include young people in the identification of the needs of their peers and to invite them to join in becoming part of the solution to their own problems and concerns;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends the members of YOUTH PAC of the Capital Region Community Foundation for their outstanding efforts on behalf of the Lansing's younger generation; and

BE IT FURTHER RESOLVED this Council urges all parents, educators, clergy, and people in positions of power in the business and social, community to recognize, support and encourage tomorrow's leaders and today's greatest assets—our youth!

By Councilmember Canady

Carried unanimously

RESOLUTION #228

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Lee A. Canady to the Board of Police Commissioners for a term to expire June, 1994, is hereby confirmed.

April 27, 1992

By Councilmember Benavides

To excuse Councilmember Canady from the vote on this item

Carried unanimously

By Councilmember Schmidt

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: 6

NAYS: 1

ABSTAIN: 1

RESOLUTION #229

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Commissioners of the Board of Water and Light have offered a proposal to modify the percentage used to calculate the Board's return on equity to the City and to deed to the Board the parcel located at 123 West Ottawa Street in a manner consistent with other Board properties pursuant to the City Charter; and

WHEREAS, the Mayor has reviewed the proposal and recommended that the City Council express its approval; and

WHEREAS, the BWL proposal has been discussed by the Committee of the Whole and reported for approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the proposal from the Commissioners of the Board of Water and Light as follows:

1. The Board's annual payment of return on City equity for the next ten years shall be adjusted from 3.5 percent of net billed retail sales to 4.0 percent of net billed retail sales.

2. The Board shall pay to the City the sum of \$1,850,000 as consideration for the deed to the property at 123 West Ottawa Street, with \$1,600,000 payable in the current fiscal year and \$250,000 payable in Fiscal Year 1992-93.

AND BE IT FURTHER RESOLVED the City Attorney is hereby directed to draft an agreement between the Board and the City containing the terms of this proposal as approved; and

BE IT FINALLY RESOLVED the Council President is hereby directed to send a letter of appreciation to the Commissioners of the Board of Water and Light for their willingness to negotiate with City officials in good faith and their outstanding efforts to reach agreement on these matters.

By Councilmember Canady

Carried unanimously

RESOLUTION #230

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT Jane Phillips Rhodes is hereby appointed to the Lansing Board of Ethics as a Public Member, to fill the vacancy caused by the resignation of R. Vincent Green, for a term to expire June 30, 1994.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

There were no late items for consideration

MOTION OF EXCUSED ABSENCE

By Councilmember Canady

To excuse Councilmember Brockwell from tonight's proceedings

Carried unanimously

REMARKS BY THE MAYOR

Mayor McKane relayed an announcement from David Berridge, Traffic Engineer, that Holmes Road is under construction beginning today. Traffic will be restricted to one lane. Mayor

McKane complimented the Women's International Bowling Congress for last Saturday's Parade and said they celebrated their 75th Diamond Jubilee yesterday. Today is their Business Meeting. He commented on the controversy surrounding the Community Service and Referral Center and South Central Neighborhood Organization. He asked both sides of this controversy to monitor their public comments so that nothing is said prematurely in public that will prevent a compromise being made. He said compromise is needed in order to resolve this situation.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt outlined the process for filing for an exemption for recycling and yard waste collection fees. She noted that you must provide documentation proving that you are using an alternative form of recycling in order to qualify for the exemption. The amount eligible to be refunded for collection of recyclable material is \$25.00, the amount eligible to be refunded for yard waste collection is \$18.00. Maximum possible refund is \$43.00. She noted that, in the case of yard waste collection, an on-site compost heap may qualify for exemption. She asked City Attorney, Al Knot, how part-year residents can obtain an exemption or partial exemption. Mr. Knot replied that if they could provide documentation of their alternate residence they would be given an exemption.

Councilmember Benavides asked for help for Lansing's Sister City Guadalajara, Mexico. She has suffered a series of explosions that wiped out a mile long stretch of the City. He said that Mayor McKane held a press conference last Friday to establish a Committee who will administer funds and goods donated to Guadalajara. Councilmember Benavides said their greatest needs at this point are clothing and medical supplies. Cristo Rey Center is the drop-off site for donations. Anyone interested in making a donation may call 372-4700. He said Lansing is a very generous community and money is already coming in hospitals have pledged medical supplies and an airline has donated a flight to deliver the items.

Councilmember Beal spoke regarding an article that appeared in Sunday's edition of the Lansing State Journal charging that she made personal long distance calls on city phones. She explained that she inquired on the process for reimbursing the City for personal phone calls when she first took office and was told that the City had a Watts line. She has repaid the City for the cost of the calls. She was never given any indication that there was a problem until she was contacted by a reporter questioning her about it. She said she would have appreciated a visit or phone call from the person responsible for leaking this information to the State Journal prior to the article being written.

Councilmember Ford announced that there will be a Tennis Tournament in honor of Leonard R. McConnell. He contributed clothes, balls, shoes, and rackets to youth in the Kingsley Center area to allow them to take part in the sport. The tournament will be held May 21, 22, and 23, the entry fee is \$15.00 for children and \$20.00 for adults. The proceeds will be used to purchase equipment. All contestants will receive a Tee Shirt. Applications are available at City Hall and at the Black Child and Family Institute.

Councilmember Canady said that the first 'Open Forum' was held tonight prior to the Council meeting. He thought the first show went well. Seven speakers spoke for a total of 20 minutes. He said some people came after 6:00 and wanted to speak, but you must be in

Council Chambers prior to 6:00 to get speaking time.

CITIZENS MAY COMMENT

Douglas Fairbanks, of Lansing, said that Councilmember Belen should be given an award for outstanding service to the City.

Dr. Earl T. Pauley, no address given, said that we have the best City Council in the United States. He asked if the land between the old REO buildings and O'Leary Paint Co. was for sale or if it could be used for recreation for kids. Councilmember Canady answered that the land is being considered for commercial development.

James R. Giddings of 1621 W. Shiawassee St., Ingham County Circuit Court Judge, said that what Council got on the CCAB Action Plan was the Executive Summary, the actual plan is much longer and will be provided to the City Clerk and the Mayor upon its approval by the office of Community Corrections Board. He thanked everyone who sat on the committees that developed the plan. Councilmember Ford thanked Judge Giddings for his leadership and expertise during the development of the plan.

William Bernstein of 420 Baker Street said that he is not a dissident, he is a citizen of the City and he deserves recognition and equal rights to speaking time.

David Steeger of 1614 Beal Ave. spoke on behalf of the Community Service and Referral Center, saying that the statements being made about them are untrue. He said it is unfair to blame the Center for drug dealers and prostitutes operating in this neighborhood. The neighborhood has been plagued with these problems since 1980, long before the Center moved in. He defended the Center saying that they operate educational facilities and other rehabilitative services such as drug and alcohol counseling. He said they have had clients that have gone on to attend MSU and LCC. They provide a valuable service to the Community. He said they refuse service to people who come in to the Center under the influence of drugs or alcohol. Councilmember Crawford said Council will take this up Saturday, during their budget wrap up.

Frank Curtis of 1136 W. Allegan read a letter he received from Senator Carl Levin. He commented on #19 under Council Rules saying this rule suspends the Constitution of the United States and is plain censorship. He said Council should be treating people with respect, and that his hearing will be a test case. He stated that he would never give up and the City does not have the money to take these cases to trial. He commented on the racial controversy at Olivet College.

Robert Schmidt of 1414 Lindberg Drive told Council about Operation Arbor Storm. This project donated over 5,000 pine seedlings to Lansing School District. He thanked the people who attended the event and the people who worked to develop it.

Lynn Parks of 607 N. Sycamore spoke regarding the Community Service and Referral Center. She reiterated that they are hindered by budget cuts. She said other areas of Lansing with successful business located in them also have these problems. She said merchants in South Washington area deserve praise for co-existing with the CSRC Agency.

Lloyd Teets of 116 E. Elm Street said 'truth in Government' does not exist. He said he may not have won any of the law suits he filed against the City but he gained valuable information from the

experience. He attributed Hugh Clark with the statement "if you need to petition your government for redress of a grievance then you have the right to be heard".

Cynthia Johnson of 217 Reo Ave. spoke on behalf of the CSRC. She said that the South Central Neighborhood Organization wants to make the neighborhood an attractive, pretty place to live, which is an admirable goal. However, CSRC clients are not pretty, nor attractive, but they have no place else to go. Their problems are not nice ones, they have serious problems like drug and alcohol dependency, homelessness, and unemployment. Some of them have no place to bathe except for public restrooms. There is nothing the Center can do to 'pretty' these people up for the community. The community needs to look beneath the surface at the positive things the Center achieves such as education and rehabilitation. She said you cannot make these people pretty, but neither can you shut them out. She asked which neighborhood the City would rather have them in.

Larry Norwood of 902 Westmoreland, President of the Board of the Community Service and Referral Center thanked Mayor McKane for getting involved in trying to resolve this dispute. He said their Board was newly seated in November of 1991. At that time they met with SCNO to address neighborhood concerns. There was a long delay following their last meeting and the next thing they knew they were involved in this dispute with threats being made to cut their budget.

A.M. Jones of 367 Concord in Sterling Heights a former volunteer of CSRC and former resident of the SCNO area said that when he lived there drugs and prostitution were rampant. At that time residents had to picket the dealers and prostitutes out of the neighborhood. He directed attention towards the people frequenting the drug dealers and prostitutes saying they are fairly well to do. These are not poor people.

Andrew Anthos of 216 W. Holmes said he will not appear before this Council again. He said they are tired of him and he is tired of them. He spoke regarding his project to light the dome of the Capitol building.

Harold Leeman of 529 N. Francis asked Mayor McKane and Council President Crawford to control Special Ceremonies more effectively in the future. He asked for the schedule for Budget hearings for this weekend. President Crawford informed him that there would be a budget hearing on Friday at 1:30 P.M. and wrap up will be on Saturday at 1:00.

Ellen Moore of 1620 Osband thanked the Mayor for the Certificate of Recognition she received earlier this evening, saying that she accepted it on behalf of the other members of the Board of Review. They are all caring, hard working, wonderful people. She commended the City Assessor and his staff.

Cindy Eby of 1125 W. Michigan Ave. spoke on behalf of CSRC, saying they want to work with the neighborhood, but have not had much luck. She criticized the Mayor for calling their comments premature when he made what she considers premature comments last week himself. Mayor McKane responded that he was very careful last week to say that the information he had regarding the CSRC was not firsthand.

ADJOURNED 9:55

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

144

Proceedings, May 4, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
May 4, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. on Monday, May 4, 1992 and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of April 13, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1/ From Councilmember Ford, a request that he be allowed to present a tribute to 2 Warrior's Junior Pro Basketball Teams, under the Special Ceremonies portion of the agenda

2/ From Councilmember Ford, claim of Charles L. Porter of 922 River Knoll Drive, Haslett

3/ From Councilmember Canady a resolution of tribute to Herbert C. and Kathryn L. Austin retirees from the State of Michigan

4/ From Councilmember Canady a letter from Laura L. Simons, Attorney, on behalf of Cin-Lan Inc. regarding their request for SLU-20-91

5/ From Councilmember Schmidt a letter from Helen Gerke of 3800 Schlee St. regarding Potter Park Zoo admittance fees and the elimination of the Parks Police Program

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider that property at 139 S. Larch St. be made safe or demolished

Lloyd Teets of 116 E. Elm St. displayed a copy of the Building Code and claimed Councilmembers had never read it. He stated that this was not a dangerous or unsafe building, it's not beautiful, but, not unsafe either

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. To consider that property at 810 Chicago Ave. be made safe or

demolished

Lloyd Teets of 116 E. Elm St. inquired which of the nine criteria governing unsafe or dangerous buildings applies to this house.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. To consider that property at 525 W. Sheridan Rd. be made safe or demolished

John Stevens of 11390 US 127 in Dewitt said he purchased this property two months ago not knowing the extent of the repairs it needed. He has not been able to do any work on the house because he has been hospitalized with heart problems. Councilmember Brockwell said the Committee on Public Service would be considering this issue at their meeting this week. At this time the exact meeting date and time are not known, however, if Mr. Stevens would be sure to leave his phone number Council staff would contact him to inform him of the meeting time.

Lloyd Teets of 116 E. Elm St. asked which of the nine criteria governing unsafe and dangerous buildings applies to this house.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

D. To consider the proposed 1992 City Property Tax Levy

Lloyd Teets of 116 E. Elm St. said he read in the paper that Mayor McKane had said there would not be a tax increase this year. This proves his charge that there is no truth in Government because the City millage is going from 14.90 to 15.04 mills. In his opinion this constitutes a tax increase. Councilmember Canady replied that this is not a tax increase, merely a transfer from one area to another.

REFERRED TO THE COMMITTEE OF THE WHOLE

E. To consider the proposed Fiscal 1992-93 Budget including proposed Capital Improvements and the Community Development Block Grant

Glen Dean of 1321 E. North Street said that a couple of years ago the City promised not to raise Potter Park admittance fees in exchange for a parks millage. Fees for City provided services keep going up. There are too many high paid administrators. City Government is top heavy in personnel with top personnel being paid between 70,000 to 80,000 dollars per year. He asked about the cost to the City to buy back the Board of Water and Light building when they move out in a few years.

Paul Huffnagel, President of Lansing Fire Fighters Union at 419 N. Washington said if the City institutes a charge for ambulance calls this money should not be put into the general fund account. It should go into the Fire Department's budget, especially since the budget proposes to cut their staff by three people. He asked how the fee would be paid, who will pay it, and who will be responsible for collecting it. This is a basic service. Councilmember Schmidt responded to his questions, saying that the ambulance fee would

be charged only to those persons who have insurance coverage to pay for it. Mr. Huffnagel warned that Insurance Companies cover only fees that are charged to everyone.

Jenny Rentfrow of 5918 Eaton Road in Mason, a Potter Park Zoo employee, spoke against making cuts to the Parks Police Program. She said we need Parks Police to keep prostitutes and drug dealers from operating in the parks. They are good protection for the children who use the parks too. She has even called them to investigate people who are just looking at the kids funny. She asked Council to remember some of the things that have happened at the parks in the past, shootings, gangs, and animal killings. Councilmember Canady assured her that Potter Park will have two security guards and one "rent-a-cop" along with additional coverage by the Lansing Police Department. He said that 358 thousand dollars per year is just too much to support this separate policing program. Councilmember Ford said that he proposed that they consider a Volunteer Horse Patrol Unit.

Gary Andrews of 560 Brookland asked how much investigation Council did into the finances of the City. He said the Parks Police Program is one of the best PR activities the City has ever involved itself in. It commands the respect of adults and children. He asked if the budget process looked at the maintenance of City owned vehicles assigned to employees. Are employees allowed to take these vehicles home at night? He has seen these vehicles everywhere, Holt, Dewitt, Laingsburg, Okemos. They should not be used for personal business at tax payer's expense. He said that given the salaries earned by Department Heads, they should be able to afford to buy their own cars. Council President Crawford informed Mr. Andrews that when employees use City owned vehicles for personal business, they pay for that use.

Douglas Fairbanks, no address given, commented on the Parks Police Program.

Lloyd Teets of 116 E. Elm spoke regarding "snake oil" TIFA districts and the "pole barn that is the Lansing Center". He challenged Councilmember Canady's statement that the increased return on equity the City will receive from the Board of Water and Light will not cause a raise in the Board's rates. He pointed to the letter from the Mayor regarding proposed wastewater treatment rate increases. He said what the community wants is police and fire protection, and good parks. What they don't want is TIFA'S and pole barns. He suggested cuts to the Planning Department Budget. Councilmember Canady answered Mr. Teets charges regarding rate increases by the Board of Water and Light saying that Mayor McKane's letter referred to wastewater treatment rates, a service provided by the City of Lansing, not the Board.

Paul Scott of 1223 Larned thanked Council for taking a stand on the infrastructure problem. He expressed his disappointment over the cuts to the Parks Police Program, however, there are other programs that are more important-Community programs, he said, are very important to the future of children and neighborhoods. He spoke regarding the Human Services budget and HUD.

Susy Hooks Stark of 1147 S. Washington spoke regarding the Community Service and Referral Center. She thanked the Mayor and Council for the consideration they showed in moving the Center and locating funding.

Frank Curtis of 1136 W. Allegan spoke regarding the use of City

owned vehicles by employees. He said Department Heads should not be allowed to drive City vehicles home.

Chris Drake of 6726 S. Washington said he and his family use Potters Park a great deal during the summer time. If the City implements a rate increase, they would not be able to afford it. He asked what happened to the parks millage that went through a few years ago. Councilmember Brockwell responded, saying Council deliberated at great length about the Potter Park fee, but the City puts about 1 million dollars per year from the general fund into supporting Potter Park. They have suggested a family pass for twenty dollars per year that would allow users to use the park as much as they want for a minimal fee. Councilmember Canady added that they also considered setting aside a couple of days each week that will be completely free. Councilmember Ford added that they have proposed a \$30.00 flat fee for non-resident schools that bring classes to the park.

Mary Margaret Murphy-Woll of 210 Ferguson said that the entire budget process is a give and take situation. She commended Council for trying not to hurt people programs and still repair the infrastructure. She said they saved a lot of people from being hurt and saved as much of the Parks Program as they could.

Harold Leeman of 529 N. Francis asked if Council would be voting on the Budget tonight. Council President Crawford said no, the vote on the Budget is scheduled for next Monday night. Mr. Leeman said that someone told the media that the vote would be tonight and it has upset residents. He stated that he is opposed to Department Heads taking their cars home. He spoke regarding the Community Development Block Grant Program budget and asked Council to take another look at it. He suggested that they give money to the Neighborhoods directly. He questioned the use of a Lobbyist for the City.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT

Linda Dafoe of 5230 Balser Street asked Council not to vote to expand the parking lot of Deja Vu at 1000 W. Jolly Road. They do not care about being good neighbors and the neighborhood does not want this approved.

William Barber of 2553 S. Washington Pastor of Miller Road Bible Church, stated his opposition to SLU-20-91, for Deja Vu at 1000 W. Jolly Rd. He asked Council to do everything they can to stop nude dancing today. There is no question that these types of activities lead to an increase in rape and other violent crimes against women. Allowing nude dancing makes us all responsible for them. He offered his help to fight whatever legal parameters exist.

Douglas Fairbanks, no address given, suggested that Deja Vu move out of the City.

Harold Leeman of 529 N. Francis asked for reassurance that copies of agenda items would not be assessed a photocopy fee under the terms of resolution #234. He remarked on Councilmember Canady's earlier response to Mr. Teets statements.

SPECIAL CEREMONIES

Mayor McKane, along with Forester Paul Dykema, presented a proclamation honoring the Rotary Club of Lansing for donating Trees to be planted in the City. Michael Clark of the Rotary Club

said they were asked to make a donation to the International Rotary Float at the Rose Bowl, but they felt it would be a waste of money because the flowers would die. They decided to plant trees instead.

Mayor McKane announced that the Proclamation Honoring National Merit Scholarship Finalists from Sexton High School has been rescheduled for Monday, May 18, 1992.

Councilmember Ford asked Mayor McKane for assistance in introducing and presenting a tribute to two Junior Pro Warrior's teams. They introduced coaches, Jim McClain, John Blair, Julian Van Dyke and Leon Cane from the Cane and McClain Youth Program along with the members of the two teams who have won the 1991-1992 National Junior Pro Championship. Coach Blair thanked the community for the support shown the teams and said the boys have learned what is possible through sacrifice and dedication. He asked the community for their continued support.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter from Harold Leeman of 529 N. Francis requesting amendments to the contract between the City of Lansing and the Greater Lansing Convention/Exhibition Authority

REFERRED TO THE MAYOR, CITY ATTORNEY,
AND COMMITTEE ON GENERAL SERVICES

B. Letter from Continental Cablevision announcing a 8% rate increase on basic service only (\$1.55 per month)

RECEIVED AND PLACED ON FILE

C. Letter from Roger and Barbara Vaughan of 1210 N. Briarfield regarding the elimination of the Parks Police Program

REFERRED TO THE COMMITTEE OF THE WHOLE

D. Letter from Eleanor Young of 1229 Hillcrest Street regarding nuisance fees

REFERRED TO THE MAYOR

E. Two letters from Mr. and Mrs. Ivan Christian of 5505 Kaynorth #6 regarding:

-A new nightclub in the 200 block of South Washington Square

-Trash and debris collecting along the Consumer Power property line

REFERRED TO THE MAYOR

F. Letter from Dr. Ron H. McFall of 406 Castle Drive, Dewitt Township regarding tax rates, reduced services, and City parks

REFERRED TO THE MAYOR

G. Letter from Melissa A. Mireles regarding a dispute with her landlord over substandard rental property at 508 Beech Street

REFERRED TO THE MAYOR

H. Determination from Federal Aviation Administration that the proposed construction of a new 400 foot Antenna Tower is in

conformance with FAA Advisory Circular AC 70/7640-1 "Obstruction Marking and Lighting"

REFERRED TO THE MAYOR

I. Letter from Merry A. Rosenberg in support of the Citizens District Council plan for the development of the Seven Block Area

REFERRED TO THE COMMITTEE OF THE WHOLE

J. Notice from the Department of Agriculture of new State requirements affecting the applications of pesticides in the State of Michigan

REFERRED TO THE MAYOR

K. Notice from the Department of Social Services of the closing of a Foster Family Group Home for Children at 3901 Windward Dr.

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane outlined his seven letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #231

May 4, 1992

President Belen and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Omars, Metro Bowl Inc., Holiday Inn. Lansing
"Sevilles", Ashley's, Colonial Bar & Grille

TRANSFER CLASS C: Trammpps Inc. a/k/a Club Paradise

POOL ROOM BOWL ALLEY: Metro Bowl Inc.

PUBLIC DRIVER: Erik D. Robinson, Robert Heller, John S. Walker, Robert Lloyd Troub, Marshall Smith, Lloyd Arthur Klatz, Randy D. Huddelson, Robert A. Parisian, Roger Hall, Mark R. Sefcik, Kenneth Leroy Ebright, Kenneth E. Anderson, Robert Dale Weatherby, David Eugene Robbins, Jerry Dewitt, Marion Leroy Rainsberger, Robert E. Smykay, John L. Terberg

SECOND HAND DEALER: Dicker & Deal Second Hand Store, Elderly Instruments, Inc., Moose Creek, Music Manor

SHOW: Elliott Amusement Co., Inc.

SIGN ERECTOR: Stamp Rite Inc., Hauck Awning & Roll Shutter Co., Inc., Beacon Sign Co.

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 27, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Appointment of William S. Torrence, Jr. to Mayor's Parking Advisory Committee

RECEIVED AND PLACED ON FILE

2. Michigan Council for the Arts and Cultural Affairs Mini Grant Program

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Sale of Property at the Diamond Reo site for a New Facility for Lansing Sanitary Supply

REFERRED TO THE COMMITTEES ON
PHYSICAL DEVELOPMENT AND WAYS AND MEANS

4. Proposed Wastewater Rates FY/92-93

REFERRED TO THE COMMITTEES ON
PUBLIC SERVICE, WAYS AND MEANS,
AND PHYSICAL DEVELOPMENT

5. SLU-04-92, 430-440 N. Larch St.

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

6. Z-03-92, 620 S. Capitol Avenue

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

7. Purchase of Property at 521 N. Butler St.

REFERRED TO THE COMMITTEES ON
PHYSICAL DEVELOPMENT AND WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #232

February 27, 1992

COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-20-91

East and Adjacent to 1000 West Jolly Road

WHEREAS Laura Simons, on behalf of Cin-Lan, Incorporated, has requested approval of a special land use for property located east and adjacent to 1000 West Jolly Road, more particularly described as:

Commencing at the southeast corner Section 32, T4N, R2W, City of Lansing, Ingham County, Michigan; thence north 88 deg. 33' west 857.41 feet along south Section line; thence north 02 deg. 00" east 50 feet to southwest corner Delray Manor, Liber 28 of plats, page 7; thence along west and south lines Delray Manor next 3 courses, north 02 deg. 00" east 201.09 feet; thence northwesterly 162.33 feet along a 102.6 foot rad curve to left whose chord bears north 43 deg. 19' 30" west 145.92 feet; thence north 88 deg. 39' west 76.52 feet; thence south 01 deg. 58' 34" west 304.77 feet to

north line Jolly Road; thence south 88 deg. 35' east 168.16 feet to point of beg., being 1.2 acres +/-.

for the purpose of expanding off street parking in conjunction with Deja Vu, which is located at 1000 West Jolly Road; and

WHEREAS the Planning Board held a public hearing on this request at their meeting of November 6, 1991 at which time Laura Simons, representing the applicant, spoke on behalf of the petition and several people appeared and spoke in opposition to the request; and

WHEREAS the Planning Board, following this public hearing and at their meeting of February 18, 1992, recommended that the special land use request as filed be denied and, further recommended that the revised site plan which will yield approximately 72 additional parking spaces, be approved. These 72 spaces, in conjunction with 51 on site parking spaces, will yield 123 off street parking spaces, which is the minimum required for the existing use. This recommendation was subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing denies the special land use request as filed for SLU-20-91 and approved the revised site plan which will yield approximately 72 additional parking spaces. These 72 spaces, in conjunction with 51 on site parking spaces, will yield 123 off street parking spaces, which is the minimum required for the existing use. This approval is subject to the following conditions:

1. That the applicant submit a written letter withdrawing any interest in pursuing SLU-19-91 (see letter dated February 13, 1992).

2. Establish opaque fence along the south property line of the SLU-19-91 subject parcels to prohibit any parking on that property.

3. Modify in writing the SLU-20-91 application to substitute an alternative design for the parking lot as agreed to by the Physical Development Committee at their meeting of April 23, 1992. The final site plan for the parking lot improvements shall be approved by the Planning Division.

4. The applicant will provide appropriate and necessary security for the parking lot area during peak hours of operation.

5. No expansion or change which increases the intensity of the use in the building will be endorsed or encouraged. The existing uses and operation are as documented on the building plan dated December 9, 1991 and filed December 11, 1991.

6. Under no circumstances is this recommendation to be construed as setting a precedent for other similar uses. This is a unique situation where a clear line of demarcation is being established for the protection of the neighborhood.

In making this recommendation the Council believes that the modified proposal and recommendation will:

- (1) create minimal intrusion into the neighborhood with the expectation that certain negative features of the existing situation can be substantially improved (fencing, landscaping, traffic

circulation, lighting and security).

(2) the proposal is still consistent with the intent of the Master Plan.

(3) assurance that the parking would be installed in a timely manner in conjunction with the landscaping and proper fencing.

By Councilmember Canady

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Brockwell, Canady, Crawford

NAYS: Councilmembers Benavides, Ford, Schmidt

RESOLUTION #233

PUBLIC IMPROVEMENT III

Resolved, by the City Council of the City of Lansing

That the special assessment roll for the curb and gutter, and storm sewer construction on Jolly Road,

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets and alleys and other land deemed not benefitted.

PROPERTY BENEFITTED

STORM SEWER: All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets alleys and other land deemed not benefitted.

be received, approved and placed on file.

The estimated expense of said improvements based upon the construction bid is as follows:

ASSESSMENT ROLL NO. 323

	FEDERAL CONTRIB.	CITY CONTRIB.	ASSESS. TO PROP. OWNER
STORM SEWER	72,748.88	0.00	38,305.80
CURB & GUTT.	45,008.84	2,540.64	15,462.90
BRIDGE COST	438,803.36	175,521.34	0.00
OTHER COSTS	298,478.40	110,185.11	0.00
TOTAL COSTS	855,039.48	288,247.09	53,768.70

Project to be part of the Jolly Road Reconstruction, P.S. #78015.

as returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Chapter 1026 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Rooms on Monday, May 18, 1992, at 7:00 PM for the purpose of reviewing said assessment roll.

Let it be known any person who intends to protest this special assessment must appear and protest at the special assessment hearing in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. The protest of this special assessment must be presented by the property owners or their representative in person or in writing at the public hearing as scheduled above

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

City Share of C & G Costs	2,540.64
Acct. No. 40393360197410042544	
City Share of Other Costs	193,216.45
Acct. No. 40393360197410042544	
City Share of Other Costs	92,490.00
Acct. No. 40393360174370042544	
F.A.U.S. Share of Costs	855,039.48
Federal Share	
Assessment Roll #323	53,768.70
Acct. No. 40493360197410042544	
TOTAL	\$1,197,055.27

Charles S. Remenar, Deputy City Controller

By Councilmember Canady

Carried unanimously

RESOLUTION #234

SPONSORED BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Ways and Means Committee has reviewed the fees currently being charged for photocopies of city documents and have found a great deal of variation in the fee structure; and

WHEREAS, in an effort to standardize photocopy fees throughout the City the Committee has reviewed the User Fee Study, and has also received recommendations from pertinent administrators; and

WHEREAS, the fee recommended by the Committee is designed to charge minimal fees for obtaining copies of routine documents while recovering a greater portion of the costs associated with the more complicated and time-consuming requests.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes the following city-wide fees for copies of City documents and records:

A. Documents and records routinely located within a fifteen minute search shall be charged at \$.25 per page.

B. Documents and records requiring a search of more than fifteen minutes shall be charged at the rate established by "Freedom of Information" Legislation.

C. Copies of Ordinances.

1. Ordinances provided by the Planning and Municipal Development Department shall be charged at \$5.00 per ordinance.

2. Ordinances provided by the City Clerk shall be charged at \$.25 per page up to a maximum of \$25 per ordinance. Pre-bound copies of the Traffic and Zoning codes provided by the City Clerk shall be charged at \$25 per ordinance.

D. Certified copies of documents provided by the City Clerk shall be charged at \$5.00 in addition to the copying charge delineated in items A through C above.

and

BE IT FURTHER RESOLVED the fees hereby approved do not supersede or replace any specific fee delineated in Resolution #690 of 1990 as adopted by the City Council and

BE IT FURTHER RESOLVED that the fee provided for in item B shall not take effect prior to specific approval by the City Attorney and the Council Committee on Ways and Means; and

BE IT FINALLY RESOLVED that individual(s) requesting copies of documents that are subject to the rate established in item B shall be advised of the cost at the time the request is made.

April 20, 1992

By Councilmember Benavides

Carried unanimously

RESOLUTION #235

BY COMMITTEE ON WAYS AND MEANS 5/5/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

\$575,000.00 from Fire Dept.-Bgt. Ctrl.

A/C 101-000000-170001-00000

575,000.00 to Fire Dept.-Bgt. Ctrl.

A/C 101-343501-992200-00000

(Purchase of new platform truck and related equipment. To Memo Accounts: 101-343520 977000-0)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #236

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the "Warriors", a Capital Area Sports League team sponsored by the Cane and McClain Youth Program, has repeated as national champions in the Youth Pro Division for 1991-92 after capturing the crown last year; and

WHEREAS, the team is now preparing to travel to Yakima, Washington, to compete in a higher level tournament conducted by the Amateur Athletic Union;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 4th day of May, 1992, hereby commends the Warrior players and coaches for this outstanding accomplishment of bringing the national championship to Lansing for two years straight.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #237

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing residents Herbert C. Austin and Kathryn L.

Austin are retiring from their careers with the State of Michigan; and

WHEREAS, during his 27 years with the Department of Labor, Herb concentrated on worker safety, and he was a key staffmember during implementation of the Michigan Occupational Safety and Health Act (MIOSHA) in 1974; and

WHEREAS, Herb spearheaded the effort to create the MIOSHA Appeals Division in 1979, and he served as its first chief, then after being promoted to Director of the Office of Standards Promulgation and Contested Cases in 1986, he also assumed responsibility for the Safety Standards Division; and

WHEREAS, Kathryn has held a variety of administrative positions in state government over the past 20 years, and since 1978 has served as the Executive Secretary to the commissioners and the business manager of the Michigan Liquor Control Commission; and

WHEREAS, Herb and Kathryn have been married 35 years, have raised three children, and are awaiting their third grandchild;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends HERBERT C. AUSTIN and KATHRYN L. AUSTIN, on the occasion of their retirement, for a combined 47 years of outstanding dedication to the People of the State of Michigan.

By Councilmember Canady

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford, a request that he be allowed to present a tribute to 2 Warrior's Junior Pro Basketball Teams, under the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND COUNCILMEMBER FORD PRESENTED RESOLUTION #236 AS TRIBUTE TO THE 'WARRIOR'S' LANSING'S JUNIOR PRO BASKETBALL TEAMS

2/ From Councilmember Ford, claim of Charles L. Porter of 922 River Knoll Drive, Haslett

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

3/ From Councilmember Canady a resolution of tribute to Herbert C. and Kathryn L. Austin retirees from the State of Michigan

HANDLED AS RESOLUTION #237

4/ From Councilmember Canady a letter from Laura L. Simons, Attorney, on behalf of Cin-Lan Inc. regarding their request for SLU-20-91

RECEIVED AND PLACED ON FILE

5/ From Councilmember Schmidt a letter from Helen Gerke of

3800 Schlee St. regarding Potter Park Zoo admittance fees and the elimination of the Parks Police Program

REFERRED TO THE COMMITTEE OF THE WHOLE

REMARKS BY THE MAYOR

Mayor McKane announced that this Saturday is the occasion of the third annual 'Michigan Parades into the 21st Century' and second annual 'Salute to Michigan Mothers' parade. The parade will begin at 11:30 A.M. He wished a happy mother's day to the City's mothers.

REMARKS BY COUNCILMEMBERS

Councilmember Brockwell thanked Mr. Tubbs and Mr. Stonehouse for identifying programs that are important to youth and finding Community Development Block Grant funds. He thanked Mary Margaret Murphy-Woll for her presence at the budget hearings, and told Mr. Teets that "there is not one property that is up for demolition in the City that I do not personally see." He goes to look at and inspect all of them. He added that he is willing to work with property owners who want to bring their property up to code.

Councilmember Canady apologized to the people in the audience and the people at home for losing his temper earlier in the evening. He said the constant haranguing of Councilmembers with no rational basis is very frustrating. He reiterated that electric and water rates will not change as a result of a higher return on equity by the Board of Water and Light.

Councilmember Belen thanked Council President Crawford for the manner in which he conducted the budget hearings.

Councilmember Beal seconded the sentiments expressed by Councilmember Belen. She said it is heartening to see City Council change directions a little bit. The City has spent five hundred thousand dollars fighting litigation over pornography uses. She suggested that, if they are not able to stamp out pornography, they can at least put parameters on it to make it unobtrusive. She commended Councilmember Canady for reaching a rational decision on Deja Vu.

Councilmember Schmidt said she disagreed with Councilmember Beal about Deja Vu, and she voted her conscience. She stated her opposition to the increase in admittance fees for Potter Park Zoo. She called this double dipping of residents. She said in many cases residents use the zoo for the only kind of recreation they can afford. She is in favor of a regional approach to zoo funding. She is opposed to a charge for Holiday Parades. She introduced her sister, Stella June, to the audience.

Councilmember Ford said that a fee for residents and non-residents for the Zoo is something he has been against, but, there were many important considerations and trade-off's made in the budget hearings. He said Volunteer Horse Patrol Programs are already working elsewhere in Ingham and Oakland Counties.

Councilmember Benavides stated his strong feelings against the SLU for Deja Vu. He said this business should not be treated as if it were an honorable business.

CITIZENS MAY COMMENT

Tom Shields of 1118 Riley Street said he recently observed a

recycling truck in action. He said it takes recycling trucks much longer to make a pickup than it does regular trash trucks. Regular trash trucks require only one operator, recycling trucks require two. This is not cost effective. Councilmember Canady said they take longer because they must separate the items they pick up before disposing of them in the truck's bins. Councilmember Brockwell said that the recycling truck in his neighborhood has only one person operating it. Councilmember Belen said the only time there are two persons to a truck is when someone is in training.

William Bernstein of 420 S. Baker St. said he has been appearing in Council Chambers for several months telling about his unfair hearing for disturbing a public assembly. He spoke regarding the controversy in Los Angeles surrounding the Rodney King incident.

Kris Nicholoff of Lansing Youth & Recreation Fund commended Council for the work they have done on the budget and commented on the frustrating nature of the work. He thanked Don Ballard, Eric Reickel, Pete Stoughton, Carol Stafford, and the Parks and Recreation Department's Golf Operation Staff for hosting a fund raiser for the Youth & Recreation Fund. He also thanked Councilmembers who have donated to the fund. Council President Crawford thanked Mr. Nicholoff for establishing the fund and working to raise money for it without personal gain or compensation of any kind.

Gary Andrews, of 560 Brookland Blvd. criticized Councilmember Canady's reaction to comments made by Mr. Teets at tonight's meeting. He accused Council of using very little respect for people when they wrote the Rules of Council. He indicated his desire to see a term limitation applied to elective office in the City.

Eileen Johnson West of 417 Pleasant St. commended Council for their work on the budget.

Dr. Earl T. Pauley, no address given, indicated his appreciation of the Open Forum preceding Council meetings. He called himself a 'Soap Boxer' and encouraged everyone to attend and speak at the half hour show. He asked about Item VIII I, letter from Mrs. Merry Rosenberg in support of the proposed 7 Block Development Area.

Douglas Fairbanks, no address given, asked Council to honor Councilmember Belen with a 'Lucile Belen Day'. He said employees should be able to drive City cars anywhere they want to.

Glen Dean of 1321 E. North said he does not want to be too critical, Council has a thankless job. He knows because he did it for ten years. He said the City's refuse pickup program has been greatly improved. He questioned the need for paying the staff at Community Centers 25 to 30 thousand dollars per year.

Harold Leeman of 529 N. Francis asked Council to reconsider the placement of the sign-in sheet because people are not using it. He said Teets was talking about the processing charge the Board of Water and Light charges for handling billing for the Wastewater System, which is being raised to .49. Councilmember Canady replied that this charge has nothing to do with the return on equity. This is a charge for a completely separate service that they provide and would go up anyway because they do the billing.

ADJOURNED 9:55 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

151

Proceedings, May 11, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
May 11, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by Vice-President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Schmidt

ABSENT: Council President Crawford (arrived 7:15)

The Invocation and Pledge of Allegiance were led by Councilmember Belen

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of April 20, and April 27, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1 / From Councilmember Schmidt, a letter to R. Eric Reickel, Director of Parks and Recreation, from the Forest View Neighborhood Association

2 / From Councilmember Belen, a resolution by the Physical Development Committee replacing Resolution #233, Public Improvement III, adopted May 4, 1992

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-01-92, 228 North Chestnut Street, to be rezoned from "DM-3" Residential to "D-1" Professional Office District

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Paul Arnold of 907 Mitchell spoke regarding the elimination of the Parks Police Program. He said the objective of the Parks Police is crime prevention not reaction to it after the fact. Pro-active Police techniques are used by Parks Police and have resulted in low crime rates in Potter Park. He reminded everyone that the City has 115 Parks, river trails, golf courses, and community centers that are patrolled by Parks Police. He asked Council to delay their

decision on the elimination of this unit until next week.

Howard Jones of 426 W. Barnes asked Council to defer passage of the budget for one week. He said the budget does not do a good job of addressing the needs of the citizens of the city. He objected to the elimination of the Parks Police Program and the Zoo Entrance Fee. He said budget cuts were in the wrong places, and suggested that the City use the Rainy Day Fund.

Douglas Fairbanks, no address given, suggested that the City use hired security guards to patrol Potter's Park.

Lloyd Teets of 116 E. Elm St. objected to the money the City spends subsidizing the Civic Center and the Lansing Center each year. He also criticized the 30,000 dollars spent on a lobbyist for the City, saying that the Mayor's staff, or Council staff should absorb this responsibility. He said the Committee Report from the Committee on General Services took a lot of time and effort to tell him something he already knew.

Ron Lott of 3520 Brisbane, member of the Parks Board, opposed the budget cuts to the Parks Program. He said the removal of the Parks Police Officers will have a negative impact on the Lansing Parks System and asked Council to reconsider elimination of this item.

Gary Andrews of 560 Brookland Blvd. said City employees traveled 176 thousand miles on tax payers money this year. He said City vehicles should be provided only for city business not personal errands. He said these vehicles could be stored at the fast trak lot at Oldsmobile during non-use hours. He objected to the City's use of Lobbyist, Kevin McKinney.

Harold Leeman of 529 N. Francis asked Council to wait one week before voting on the budget. He said the cost of insurance, gas, and maintenance on City vehicles could save a lot of money. He warned that the City has put itself in a position of ridicule because of all the "nickel and dime business going on". He questioned Kevin McKinney lobbying for the city and sitting on the Convention Exhibition Authority Board. This, he said, is in violation of the City Charter. He asked Council to look into a automobile lease agreement that the Lansing Center entered into on behalf of it's director at a cost of \$491.00 monthly. He objects to the City subsidizing the Center, if it has that kind of money.

Dennis Martin of 708 Fenton said the sign for the Potter's Park entrance fee is already up and the budget has not been passed yet. He spoke in opposition to the elimination of the Parks Police Program. He stated that he would not oppose the fee increase if it went towards securing the Parks Police

Paul Scott of 1223 Larned said this is a tough decision making process and he believes that the programs they saved take precedence over the Parks Police. He suggested that residents, cooperating with the Lansing Police Department, can help police the city's parks

Tom Shields of 1218 Riley said there would never be parades in Lansing if we had to charge for everyone of them. He opposed the cuts to the Parks Police Program. He reminded everyone of the terrible crimes committed in Potter Park in 1979.

R. Chris Bratschi of 300 N. Grand, on behalf of Walter Jones of 215 Rumsey Ave. objected to the rate structure for the proposed wastewater amendment, saying it is inequitable.

Dave Fleming, of Davert and Fleming Architects in Jackson asked where Z-01-92 goes from here. Councilmember Canady said the Committee on Physical Development will meet on this issue on May 21, 1992 at 3:00.

James D. Blair of 511 Fulton, City Clerk of the City of Lansing spoke in opposition to the elimination of the Parks Police Program and a charge for parades. He said Lansing is known for one of the finest parks systems in the country. He is disappointed that Council has accepted this suggestion because they have stood united over the issue of the Parks System for years. If the Parks Police are eliminated, abuse of Lansing parks will escalate. You will find liquor bottles and drug paraphernalia lying around and even more satanic graffiti than is in the Parks right now. He stated that the already over-burdened Lansing Police Department will not be able to keep up with the need for policing of parks. Real problems, he said, will not emerge until next year because there will be only 1½ months left of this year's parks program by the time the budget is implemented. When Parks open next year a serious problem will have developed. He described parades as a celebration of the community and predicted an end to Lansing being seen as a great City if the fee for parades is implemented.

SPECIAL CEREMONIES

Councilmember Belen presented a resolution of tribute to Alberta Kuhn, Local Chairperson of WIBC along with a book on the history of the area. Mrs. Kuhn thanked the Lansing community for the hospitality shown to the bowlers and the work they have put in to make the tournament a success. The bowlers are making very nice comments about the welcome they have received in Lansing. She said this is the largest women's sporting event in the world, and if Lansing can successfully hold this event and make people happy for two months, then we can hold the interest of other conventions too.

Councilmember Beal presented a resolution of tribute to Eastern High School Decathlon Team and Coaches. Lynn Spangler introduced the other members of the team and Coaches Nancy MacRae and Manuela Jenkins. She thanked Councilmembers for the honor shown them and said they were proud to represent the City and Eastern High School at this exciting event.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried Unanimously

A Letter from Harold Leeman of 529 N. Francis regarding Aurelius Rd. between Mr. Hope and Elizabeth St

REFERRED TO THE MAYOR

B. Letters protesting the elimination of the Parks Police Program from:

-C. E. Beatty

-Peg Langkamp, 601 N. Cedar St. #10C9

REFERRED TO THE COMMITTEE OF THE WHOLE

C. Letter from the Eastside Neighborhood Organization regarding a moratorium on demolition proposed by Councilmember Beal

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICE

D. Z-06-92, 226 W. Genesee, petition from the Society for Academic Emergency Medicine for rezoning from "DM-3" Residential to "D-1" Professional Office for their Headquarters Office

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. Z-05-92, 118, 122, 124-126 N. Eighth Street, petition from Sparrow Hospital for rezoning from "DM-3" Residential to "J" Parking

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Letter from Betty Olney of 804 N. Pennsylvania regarding traffic problems at Mt. Hope and Cedar St., and drunk drivers

REFERRED TO THE MAYOR

G. Request for tax abatement in the form of a service charge in lieu of Real Estate Taxes for property at 125-127 South Eighth St. from Ruth Kruger of Gentilozzi Real Estate, Inc., 201 N. Washington Square, Suite #900

REFERRED TO THE MAYOR

H. Invitation and entry form to the North Lansing Heritage Festival Parade on June 27, 1992

RECEIVED AND PLACED ON FILE

I. Claim appeal of Paul D. Hein of 823 Hein Ave.

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

J. Petition signed by 135 residents of Riverfront Towers Apartment Complex requesting continuation of the Riverfront Horse Patrol

REFERRED TO THE COMMITTEE OF THE WHOLE

EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd outlined Mayor McKanes nine letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds.

1. RESOLUTION #238
May 11, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Charles L. Warfield

JUNK DEALER: Ortho Blocker

PUBLIC DRIVER: Ray M. Holmer, Richard Bachmann, David Lee DeVries, Leon J. DeWitt, Jr., Gary Lee Yockey, James Robert Walker, David L. Russell, Richard C. Miller, Joseph W. Whitford, Glenn Miller

SHOW: St. Vincent Home for Children

SIGN ERECTOR: Innovative Design, Manufacturing Daniels Grove II

VEHICLES FOR HIRE: Limousine by Dreamkeepers

WRECKER SERVICE: Jerry's Automotive, K & D Towing, Stowe Brothers Towing

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 4, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the Greater Lansing Convention/Exhibition Authority submitting the Interim Financial Statements for the quarter ending March 31, 1992

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

D. Letters from the Mayor re:

1. Proposed Wastewater Treatment Rates—Recommendation by Public Service Board

REFERRED TO THE COMMITTEES ON
PHYSICAL DEVELOPMENT AND WAYS AND MEANS

2. HOME Investment Partnership Program

RECEIVED AND PLACED ON FILE

3. Letter of Appreciation from Justice in Mental Health Organization, Inc. (JIMHO) re. Mr. Harry Covell

RECEIVED AND PLACED ON FILE

4. Financial Statements of City Funds at March 31, 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. Resignation of Jack Riley from Human Relations Board

RECEIVED AND PLACED ON FILE

6. Resignation of James Holcomb from Cable Advisory Board

RECEIVED AND PLACED ON FILE

7. RESOLUTION #239

May 7, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, Michigan 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of JoeAnne Heard to the Human Relations Board. This term will expire June, 1996.

Your confirmation of this appointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Benavides

To accept the recommendations of the Mayor

Carried unanimously

8. RESOLUTION #240

May 7, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, Michigan 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of Joseph N. Peters to the Electrical Examiners Board. This term will expire June, 1996.

Your confirmation of this appointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Benavides

To accept the recommendations of the Mayor

Carried unanimously

9. RESOLUTION #241

May 7, 1992

Council President James Crawford and City Councilmembers
10th Floor, City Hall
Lansing, Michigan 48933

Dear President Crawford and Councilmembers:

I herewith submit for your consideration the reappointment of Randall M. Kamm to the Building Board of Appeals. This term will expire June, 1996.

Your confirmation of this appointment will be appreciated.

Sincerely,
Terry J. McKane, Mayor

By Councilmember Benavides

To accept the recommendations of the Mayor

Carried unanimously

COMMITTEE REPORTS

RESOLUTION #242

THE COMMITTEE ON GENERAL SERVICES, to whom was

referred the complaint from Lloyd Teets regarding parking tickets given to people parking on property located at 1104 South Grand Avenue, which is behind Mr. Teets' residence at 116 East Elm Street.

REPORTS AS FOLLOWS: The Committee received a report from Zoning Administrator Vernon C. Fountain. The property in question was rezoned to "J" Parking in 1958. Parking is allowed on the property, and Mr. Teets may park his vehicle there provided he has permission from the property owner and provided his vehicle is operable. Mr. Teets attended the Committee's meeting and has received this information. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY
May 11, 1992

RESOLUTIONS

RESOLUTION #243
May 11, 1992

SLU-4-92
430-440 North Larch Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 1, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing a proposed special land use SLU-4-92, request by the Volunteers of America, Incorporated, to establish a residential care facility for men, women and children in the existing building located at 430-440 North Larch Street.

By Councilmember Canady

To discharge the Committee on this item

Carried unanimously

By Councilmember Canady

Adopted by the following vote:

YEAS: 8

NAYS: 0

ABSENT: 0

RESOLUTION #244
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Council for the Arts and Cultural Affairs offers Mini Grants through the Arts Council Center of Greater Lansing; and

WHEREAS, the Michigan Council for the Arts and Cultural Affairs

has awarded the City of Lansing a mini-grant to provide a series of high-quality, weekly multi-disciplinary activities, including performances, exhibits and demonstrations, showcasing Michigan artists; and

WHEREAS, this will maximize exposure of the arts to the downtown community with performances and activities being scheduled during weekday lunch hours and performances being held in accessible parks and on the Downtown Mall and Environs; and

WHEREAS, the total amount the Michigan Council for the Arts and Cultural Affairs is providing for the series is \$2,000:

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorizes receipt and implementation of the grant in compliance with all requisites.

May 11, 1992

By Councilmember Benavides

Carried unanimously

RESOLUTION #245
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, when "General" William Booth, a former Methodist minister, began conducting meetings to bring the Gospel to the poor of London's East End slums in 1865, his work was so well received that he thereafter organized the Christian Mission; and

WHEREAS, the Mission changed its name to the Salvation Army in 1878, designed uniforms for both men and women officers, and adopted a semi-military system of leadership; and

WHEREAS, spreading the Gospel wider and wider over the years, the Army now operates in 86 countries and colonies; and

WHEREAS, the Salvation Army was established in the United States in 1880, and 1992 marks the 108th anniversary of the Army's work in Lansing;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby designates the week of May 11-15, 1992, as "SALVATION ARMY WEEK IN LANSING" and urges all Citizens to join in commending this organization for the food, shelter, and clothing it provides to the disadvantaged for their physical needs, and for presenting the Gospel to help meet their spiritual needs.

By Councilmember Belen

Carried unanimously

RESOLUTION #246
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, thanks to sponsorship from McDonald's Corporation, Lansing Eastern High School became the first local school to send a team to the U.S. Academic Decathlon, held April 10-12, 1992, in Boise, Idaho; and

WHEREAS, given just two months to prepare, 34 teachers helped Coaches Manuela Jenkins and Nancy MacRae drill the team members for this competition, which requires that teams be

composed of students from varying achievement levels in academic subjects; and

WHEREAS, among 13 "rookie" schools at their first Decathlon, the Quakers finished third overall, and finished 14th of 50 schools in the grueling "Super Quiz", reflecting great credit on Lansing Eastern High School, the Lansing School District, and the Capital City;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 11th day of May, 1992, hereby commends and congratulates the Lansing Eastern team, Coaches Manuela Jenkins and Nancy MacRae, and the many supporting members of the Quaker family for their outstanding performance in the 1992 Academic Decathlon.

By Councilmember Beal

Carried unanimously

RESOLUTION #247

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has extensively reviewed the Mayor's recommended budget and proposed property tax levy for FY 1992-93; and

WHEREAS, the Council has received input and recommendations from a special "Blue Ribbon" panel as to changes in City operations and funding which are necessary to achieve long term financial stability; and

WHEREAS, the proposed budget includes an overall reduction of approximately 12% in the City's "white collar" workforce necessitated by a long term imbalance between City revenues and expenditures; and

WHEREAS, the Council has received recommendations from citizen boards and has solicited and received public comments and recommendations regarding proposed expenditures and tax rate; and

WHEREAS, the Council has determined through its review that certain amendments to the Mayor's proposed budget are needed to provide sufficient revenue for structured recreation for Lansing youths, to provide additional public safety, and to ensure continuation of human services during the continuing economic crisis, while maintaining prudent reserves; and

WHEREAS, the Mayor and City Council have proposed no net increase in property tax rates within the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, That the Mayor's proposed FY 1992-93 budget including capital improvements, as amended (attached), be adopted; and

BE IT FINALLY RESOLVED, that debt service millage for FY 1992-93 be reduced by .14 mills to 2.36 mills, that operating millage be increased by .14 mills to 15.04 mills, for a total levy of 17.4 mills, or an identical rate to that levied in FY 1991-92

PROPOSED CITY COUNCIL AMENDMENTS TO THE FY 1992-93 BUDGET

APPROPRIATIONS CHANGES-GENERAL FUND

Eliminate proposed funding for strategic planning Consultant. (\$100,000)

Add funding, to Parks & Recreation for 6 Kids Camps \$40,000

Add funding to Parks & Recreation to extend Community Center hours at Foster and Gier. \$4,700

Add funding for two new P.O. I positions within the Lansing Police Department \$100,000

Full formula funding for Human Service Agencies \$103,000

Restore full formula funding for Arts Agencies. \$10,000

Restore Tri-County Planning Agency contribution 10,000

TOTAL APPROPRIATIONS CHANGES \$167,700

REVENUE CHANGES-GENERAL FUND

Increase "Miscellaneous" revenues-operating transfer from Solid Waste Fund, representing partial return of previous advances. \$25,000

Increase estimated revenue from Public Enterprises to reflect increase in Board of Water and Light Return on Equity. \$655,000

Increase estimated revenues from Sale of Assets to the Board of Water and Light balance of payment received in FY 1991-92. \$250,000

Increase estimated revenues from "Reimbursements" to reflect full cost recovery from Golf Fund. \$145,000

TOTAL REVENUE CHANGES \$1,075,000

NET CHANGE

—APPROPRIATION FROM FUND BALANCE \$907,300

(This will result in a net appropriation from General Fund—Fund Balance of \$989,238.)

POLICY, FEE, AND PROGRAMMATIC CHANGES

That the Council concurs in the Mayor's proposal for contract amendment with Community Service and Referral Center to provide for relocation, security, and utility assistance.

That the Council authorizes the administration to enter into inter-local agreements for full reimbursement of Hazardous Materials (HAZMAT) response.

That fees related to City golf courses be increased, to fully recover their operating and overhead costs, as follows:

Groesbeck: 9 holes-\$8.00, 18 holes-\$15.00

Waverly: 9 holes-\$6.50

Red Cedar: 9 holes-\$6.00

Sycamore: 9 holes \$5.00

Sr. passes: \$500.00

Golf Carts: \$9.00

That the Council approves proposed projects from the 1 mill voter approved Parks millage, as submitted by the Parks & Recreation Department (attached)

That the Council concurs with proposed fees for Potter Park Zoo with the proviso that an annual \$20 Lansing resident family

membership (including parking) be made available, and that the Parks and Recreation Department will offer a limited number of "free days" to Lansing residents. Further, the per person Zoo entry fee is waived for all Lansing public, private, and parochial school groups visiting the Zoo.

That existing policy with regard to set aside of .5 mills plus 2% of General Fund Revenues is reaffirmed as standing policy, although full funding is waived for FY 93 due to fiscal constraints.

APPROPRIATIONS CHANGES—OTHER FUNDS

Appropriation of Operating Transfer \$25,000
from Solid Waste Fund—Fund Balance, representing partial return to General Fund of previous subsidies.

Add full indirect cost reimbursement to General \$145,000
Fund from Golf Fund—charging all related Administration to Golf Fund.

Community Development Block Grant (See Revised Final Statement of Objectives and separate adoption resolution, reflecting the following Public Services and Rehabilitation funding:)

LISC	\$45,000
Housing Resource Center	\$25,000
Neighborhood Cleanups	\$30,000
Lansing Neighborhood Council	\$48,885
Energy Counseling (Urban Options, Inc.)	\$42,000
Recreation (Extended, Hours—Kingsley)	\$2,500
Recreation (Kids Camps at 4 sites)	\$24,100
Public Safety (Community Policing Officer at Elm/Baker & Riverpoint)	\$56,800
Public Safety (4 crossing guards)	\$26,080
Housing Rehabilitation	\$1,169,376

REVENUE CHANGES—OTHER FUNDS

Increase golf fees at the beginning of the 1993 season to fund reimbursement of Administrative Costs advanced by General Fund. 145,000

By Councilmember Benavides

To separate the following items for the purpose of the vote, and vote on them individually in order to avoid a conflict of interest:

Lansing Symphony, Riverwalk Theatre, Greater Lansing Safety Council, Boy's and Girl's Club, Black Child and Family Institute, and Cristo Rey

Carried unanimously

By Councilmember Canady

To approve the budget with the exception of the separated items

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

By Councilmember Schmidt

To reconsider the vote on the budget with the exception of separated items

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell,

Canady, Crawford, Ford

NAYS: Councilmember Schmidt

By Councilmember Ford

To approve the budget for Lansing Symphony and to excuse Councilmember Canady from the vote on this item:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Ford, Schmidt

NAYS: None

ABSTAIN: Councilmember Canady

By Councilmember Belen

To approve the budgets for Riverwalk Theatre, Black Child & Family Institute, and Cristo Rey, and to excuse Councilmember Benavides from the vote on these items

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSTAIN: Councilmember Benavides

By Councilmember Benavides

To approve the budget for Lansing Safety Council and to excuse Councilmember Schmidt from the vote on this item

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford

NAYS: None

ABSTAIN: Councilmember Schmidt

By Councilmember Benavides

To approve the budget for the Boys and Girls Club and to excuse Councilmember Ford from the vote on this item

Adopted by the following vote:

YEAS: Councilmember Beal, Belen, Benavides, Brockwell, Canady, Crawford, Schmidt

NAYS: None

ABSTAIN: Councilmember Ford

RESOLUTION #248

BY: COMMITTEE OF THE WHOLE

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submit a "Final Statement of Community Development Objectives and Projected Uses of Funds" in order to receive a Community Development Block Grant (CDBG) Entitlement Grant for the upcoming (eighteenth) fiscal year (7/1/92 through 6/30/93); and

WHEREAS, the estimated CDBG entitlement amount allocated to Lansing for the upcoming fiscal year is \$1,761,000; and

WHEREAS, funds derived from CDBG Program Income during the sixteenth program year (fiscal year 1991, beginning 7/1/90 through 6/30/91), as well as reprogrammed funds from the fifteenth program year (fiscal year 1990, beginning 7/1/89 through

6/30/90) will be added to the entitlement amount to determine the total CDBG resources; and

WHEREAS, HUD requires the City to publish a "Draft Statement of Community Development Objectives and Projected Uses of Funds" and to provide citizens the opportunity to submit comments thereon; and

WHEREAS, the "Draft Statement of Community Development Objectives and Projected Uses of Funds" for the upcoming fiscal year was published in the Lansing State Journal on December 24, 1991; and

WHEREAS, a public hearing was held by the Lansing Planning Board on January 7, 1992, to receive comments on the "Draft Statement of Community Development Objectives and Projected Uses of Funds" for the upcoming fiscal year, as well as the City of Lansing's performance and progress with CDBG activities; and

WHEREAS, the Lansing Planning Board, at its regular meeting held on February 18, 1992, after considering comments received, recommended that the "Draft Statement of Community Development Objectives and Projected Uses of Funds" for the upcoming fiscal year be approved; and

WHEREAS, HUD further requires that the City prepare and make available a "Final Statement of Community Development Objectives and Projected Uses of Funds" for the upcoming (eighteenth) fiscal year (7/1/92 through 6/30/93); and

WHEREAS, a public hearing was held by the Lansing City Council on May 4, 1992 to receive citizen comments and recommendations and to review the Final Statement of Community Development Objectives and Projected Uses of Funds" for the upcoming fiscal year; and

WHEREAS, Federal regulations require the City to make certain certifications and assurances to HUD as a part of the City's application under the CDBG program;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the "Final Statement of Community Development Objectives and Projected Uses of Funds" for the upcoming (eighteenth) fiscal and program year; and

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, be and is hereby authorized to sign the application, including all understandings, assurances and certifications contained therein, and to submit same as required by Federal regulations; and

BE IT FINALLY RESOLVED that the Mayor is authorized, as the official representative of the City of Lansing, to provide any and all information, to act in connection with the CDBG application submission and to execute all contracts and legal documents required to secure and implement the CDBG program.

By Councilmember Benavides

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford

NAYS: Councilmember Schmidt

ABSTAIN: None

RESOLUTION #249

PUBLIC IMPROVEMENT III

Resolved, by the City Council of the City of Lansing

That the special assessment roll for the curb and gutter, and storm sewer construction on Jolly Road,

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets and alleys and other land deemed not benefitted.

PROPERTY BENEFITTED

STORM SEWER: All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets alleys and other land deemed not benefitted.

be received, approved and placed on file.

The estimated expense of said improvements based upon the construction bid is as follows:

ASSESSMENT ROLL NO. 323

	FEDERAL CONTRIB.	CITY CONTRIB.	ASSESS. TO PROP. OWNER
STORM SEWER	72,748.88	0.00	38,301.80
CURB & GUTT.	45,008.84	2,540.64	15,459.27
BRIDGE COST	438,803.36	175,521.34	
OTHER COSTS	298,478.40	110,192.74	0.00
TOTAL COSTS	855,039.48	288,247.09	53,761.07

Project to be part of the Jolly Road Reconstruction, P.S. #78015.

as returned by the City Assessor be received and placed on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper five days in accordance with Chapter 1026 of the Code of Ordinances.

Resolved further, that the City Council will meet at the Council Chambers on Tuesday, May 26, 1992, at 7:00 PM for the purpose of reviewing said assessment roll.

Let it be known any person who intends to protest this special assessment must appear and protest at the special assessment hearing in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. The protest of this special assessment must be presented by the property owners or their representative in person or in writing at the public hearing as scheduled above.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

City Share of C & G Costs	2,540.64
Account No. 403 933601 974100 42544	
City Share of Other Costs	193,224.08
Account No. 403 933601 974100 42544	
City Share of Other Costs	92,490.00
Account No. 403 933601 743700 42544	
F.A.U.S. Share of Costs	655,039.48
Federal Share	
Assessment Roll #323	53,761.07
Account No. 404 933601 974100 42544	
TOTAL	\$1,197,055.27

Charles S. Remenar, Deputy City Controller

By Councilmember Canady

To reconsider passage of resolution #233 for PI III passed on May 4, 1992

Carried unanimously

By Councilmember Canady

To substitute this resolution for resolution #233 passed on May 4, 1992

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for Property located at:

Z-3-92—620 South Capitol Avenue

To be rezoned from "J" Parking District and "D-1" Professional Office District to "D-1" Professional Office District

was introduced by Councilmember Canady, read a first and second time by their title and referred to the Committee on Physical Development.

RESOLUTION #250

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 1, 1992 at 7 p.m. in City Council Chambers, Tenth floor of Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-92. 620 South Capitol Avenue

To be rezoned from "J" Parking District and "D-1" Professional Office District to "D-1" Professional Office District

By Councilmember Canady

Carried unanimously

INTRODUCTION OF ORDINANCE

AMENDING CHAPTER 1042, SECTION 1042.04

SEWAGE DISPOSAL SYSTEM RATES

By Councilmember Canady

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 1042, Section 1042.04 of the Code of Ordinances of the City of Lansing for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System and eliminating the Lawn Sprinkling Discount

Was introduced by Councilmember Canady read a first and second time by its title and referred to the Committee on Physical Development

RESOLUTION #251

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Canady

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Tuesday, May 26, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Chapter 1042, Section 1042.04 of the Code of Ordinances of the City of Lansing for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System and eliminating the Lawn Sprinkling Discount

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt, a letter to R. Eric Reickel, Director of Parks and Recreation, from the Forest View Neighborhood Association

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

2/ From Councilmember Belen, a resolution by the Physical Development Committee replacing Resolution #233, Public Improvement III, adopted May 4, 1992

HANDLED AS RESOLUTION #249

REMARKS BY THE EXECUTIVE ASSISTANT TO THE MAYOR

Mr. Boyd announced the 25th Anniversary of the Lansing Concert Band, to be celebrated with a free outdoor concert on May 17, 1992. He reminded everyone that in the past it was necessary to put out a green bag with your yard waste for pickup, however, this is no longer the case. With the advent of the new Composting Program residents can put their yard waste out in any bag they choose and it will be collected by the Public Service Department. He complimented the Lansing Fire Department on their Awards Dinner held Friday night. The Mid-West Hispanic Institute will hold an open house this Friday, and everyone should see it. He wished a happy birthday to Paul Ridenhour and congratulations to Will Howard on his retirement.

REMARKS BY COUNCILMEMBERS

Councilmember Brockwell echoed Mr. Boyd's wishes for a happy birthday to Mr. Ridenhour. He reported a complaint he has received about dust in the area around Center Street near Friedland Iron and Steel Co. He asked to have this area cleaned and charged to Friedland. He announced that Bingham Elementary School will hold a Spring Carnival on May 16, 1992 from 11:00 a.m. to 9:00 p.m. They will have a 'dunking booth' in which Mayor McKane, Councilmember Beal, and hopefully Council President Crawford, will participate.

Councilmember Schmidt said that she did not vote for the Community Development Block Grant budget because the second ward does not benefit from it. Her no vote is a protest. She said Saturday's parade was wonderful, and suggested that we do something in recognition of Duane Vernon's efforts.

Councilmember Ford said he is still concerned about an ongoing

problem with food vendors in the Sexton High School area. Vendors are parking their carts on Spencer St. and leaving rubbish in the street. He questioned the requirements for towing companies and storage yards and asked the Mayor's Office to look into these two situations. He complimented Mr. Vernon for the great job he did announcing the 186 units in Saturday's parade, especially since he was ill and has subsequently been hospitalized.

Councilmember Canady commended Councilmembers for making a difficult decision in adopting the budget this year. It required hundreds of person hours to arrive at and took foresight and courage to proceed.

CITIZENS' COMMENTS

William Bernstein of 420 Baker St. protested what he calls his "unfair trial for disturbing a public assembly". He said he will not allow the City to sweep this case under the rug, he will not be intimidated. He asked to have the timer for public speaking put out where the public can see it.

Lloyd Teets of 116 E. Elm St. said he will appear in Court on Wednesday for the City to present motions on his hearing for disturbing a public assembly. He noted that the City has had 6 more months in which to prepare its' motions than he was given. He read Council Rule #13, and charged Councilmember Canady with disturbing a public assembly at last week's meeting. Councilmember Canady responded that he complied with rule #13 before responding to Mr. Teets complaints last week.

ADJOURNED 9:20
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

160

Proceedings, May 18, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
May 18, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Schmidt

ABSENT: Councilmember Ford (arrived 7:50 P.M.)

The Invocation and Pledge of Allegiance were led by Dr. Clyde Carnegie

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of May 4, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

From Councilmember Belen, a resolution of tribute to Francis M. Fine

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke in opposition to the proposed expansion of the Lansing Center. He feels the expansion and the Center should be funded through a metropolitan approach rather than TIFA funds.

Harold Leeman of 529 N. Francis asked for the dollar amount the City will realize from the sale of the parcel of property at the former Diamond Reo site, who will get the money, and how many jobs will be provided.

SPECIAL CEREMONIES

Emma Berry and Julie Teed accepted a proclamation declaring May 16-23 Neighborhood Pride Week in Lansing from Mayor McKane. They thanked Mayor McKane for the recognition, said they felt the neighborhood groups were making progress in rejuvenating their neighborhoods, and invited all neighborhoods who were not already members of the Lansing Neighborhood Council to join.

Mayor McKane introduced Dr. Richard Halik, Superintendent of Lansing Schools, and Dr. Clyde Carnegie, Principal of Sexton High

School. They assisted him in presenting proclamations honoring four National Merit Scholarship Finalists from Sexton High School. William J. Brown, Chad R. Courtade, William J. McLaughlin and Eric Nelson, National Merit Scholarship winners accepted proclamations, and commendations from Mayor McKane and received a standing ovation from the Council and entire audience.

Mayor McKane announced the postponement of the proclamation and Award honoring Connie Knowlton.

Mayor McKane along with Dr. Clyde Carnegie, Betty Nixon, Chairperson of the Human Resources Board, and Jacqueline Warr, Director of the Human Resources Department of the City presented a proclamation and the Barry Cunningham Award to Camille S. Abood honoring his work on behalf of the underprivileged in the Lansing area. Mr. Abood, claiming that he is only one of thousands of volunteers in the Lansing community, accepted the award on behalf of all of them.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Request from residents of Stonewood Drive to close the street for a block party on Sunday, May 24, 1992 between 3:00 and 8:00 P.M.

REFERRED TO THE MAYOR

B. Letter from Tim Wright of 601 N. Cedar Street protesting the elimination of the Parks Police Program

REFERRED TO THE MAYOR

C. Request from Disabled American Veterans for an appropriation of funds to offset the expense of their 1992 State Convention to be held at Holiday Inn South Convention Center

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS**

D. Claim filed by attorney's on behalf of Goldie Avery, 1401 W. Holmes, #201

REFERRED TO THE CITY ATTORNEY

E. Notices from the State of Michigan, Department of Social Services of the following action taken:

- Closing of a Foster Family Group Home for Children located at 2910 Lafayette Ave.
- License issued for a Foster Family Group Home for Children at 3020 Alfred St.

REFERRED TO THE MAYOR

F. Letter from Union Baptist Church in support of the Seven Block

Area Development Plan

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

MAYOR MAY COMMENT

Mayor McKane announced that, rather than discussing the letters he has on tonight's agenda, he would present the plans for expansion of the Lansing Center. He said the expansion of the Center will give Lansing a great opportunity to further the diversity of its' economy by creating a Convention and Tourism business. The purchase of the 100 Block of Michigan Avenue, the building of the Radisson Hotel, and the Lansing Center were all done to help bring this about. The City has subsequently seen investment by private business into the project. He identified the following goals of the renovation: Providing more meeting room space, creation of a ball room or banquet room in a smaller more well decorated area, and development of a full service kitchen.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #252

May 18, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

BUILDING WRECKER: Rumsey & Sons Construction, Inc.

CABARET: Club Paradise

PUBLIC DRIVER: Randall B. Lakin, Sherri L. Gabel

SHOW: Schmidt Amusements

SIGN ERECTOR: Cornell Sign Company

TRANSFER CLASS C: K.L.C., Inc.

VEHICLES FOR HIRE: Creative Image Center

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 11, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the Tax Increment Finance Authority, submitting the "Second Amended Development Plan" and "Second Amended Tax Increment Financing Plan" for Phase II—Lansing Convention-/Exhibition Center and Associated Facilities Project

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. Letters from the Mayor re:

1. Lansing Emergency Services Announces Start of Siren Conversion Project

RECEIVED AND PLACED ON FILE

2. Letter of Appreciation from P.L.A.C.E. Neighborhood Organization

RECEIVED AND PLACED ON FILE

3. Conclusion of Cipriano Torres Matter by Civil Rights Division of U.S. Department of Justice

RECEIVED AND PLACED ON FILE

4. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. ACT-6-92, 1151 Haco Drive

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

(SCHEDULED FOR ACTION TONIGHT UNDER RESOLUTION #257)

6. Actual Cost of Special Assessment Roll 321

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7. ACT-20-91, 100 Block South Grand Avenue

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

8. ACT-10-92, Padnos Iron and Metal Company

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #253

Z-1-92

228 North Chestnut Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-1-92

228 North Chestnut Street to be rezoned from "DM-3" Residential District to "D-1" Professional Office District

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady

Lucile Belen

James Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

Resolution #254

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Kenneth Stockwell filed a claim against the City in the amount of \$4,505.00 as reimbursement for contractor's costs sustained as a result of inaccurate information supplied by the Public Service Department related to a sewer stub-in at 2840 East Saginaw Street; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the committee found that the Public Service Department relied on an old sewer map to instruct the claimant on where to route the sewer lead, but when the contractor routed the lead as instructed, the sewer main was not operational, and the lead had to be re-routed to the operational main elsewhere under the street; and

WHEREAS, the City Engineer recommended that the claim be paid; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but concurs with the Public Service Department's recommendation to approve of claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Mr. Kenneth Stockwell in the amount of \$4,505.00; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of the approved amount after appropriate releases are signed by the claimant.

May 18, 1992

By Councilmember Ford

Carried unanimously

RESOLUTIONS

RESOLUTION #255

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. and Mrs. J.A. Hildebrandt filed a claim against the City in the amount of \$1,967.52 for property damage sustained as a result of a sewer backup into their residential property at 3853 Waverly Hills Road; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee learned from the Public Service Department that a procedure used to attempt to clear a plugged sewer main caused the backup into the Hildebrandts' home, and the department recommended payment of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but concurs with the Public Service Department's recommendation to approve of claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Mr. and Mrs. J.A. Hildebrandt in the amount of \$1,967.52; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of the approved amount after appropriate releases are signed by the claimant.

May 18, 1992

By Councilmember Ford

Adopted by the following vote:

YEAS: 7

NAYS: 1

RESOLUTION #256

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Ford Orlo Jones has applied for renewal of his City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that Mr. Jones' driving record had 10 moving violation points, all for speeding, at the time of his application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23(b)(3)(B) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record and the transcript of the hearing, finding that the applicant had had his license suspended for excessive points, and that his application contained inaccurate statements related to his driving record, which is also a reason under the ordinance to deny the license; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to deny the application of Ford Orlo Jones for a public driver license; and

BE IT FURTHER RESOLVED, upon adoption of this resolution the City Clerk shall notify the applicant of the Council's findings and conclusion.

May 18, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #257

COMMITTEE ON PHYSICAL DEVELOPMENT

ACT-6-92

1151 HACO DRIVE

REQUEST ENCROACHMENT INTO RIGHT-OF-WAY

WHEREAS, the Barnum & Tenny Body Shop has requested use of the public right-of-way at 1151 Haco Drive to erect a fence and to park and store customer vehicles to within 5 feet of the curb, and

WHEREAS, the Planning Division has reviewed the proposal under ACT 285, P.A. 1921, and

WHEREAS, the Planning Division has recommended the approval of this use of the public right-of-way to within ten (10') feet of the curb and subject to conditions, and

WHEREAS, the Planning Board has concurred with the recommendations, and

WHEREAS, the Committee on Physical Development of the City Council has reviewed and concurs with the recommendation of the Planning Board but, approves the use of the right-of-way to within five (5') feet of the curb, and

NOW THEREFORE BE IT RESOLVED, that the City Council approve the use of the public right-of-way abutting the southerly portion of the property at 1151 Haco Drive subject to the following conditions:

1. The fence surrounding a storage and parking lot be constructed to within a minimum of five (5') feet from the curb line to allow for additional vehicle storage.

2. A parking plan be approved by the Planning Division, City Engineer and Transportation Engineer, and obtain a permit from the Public Service Department.

3. The right-of-way lease agreement be specified for Barnum & Tenny Body Shop use only, and that Barnum & Tenny be responsible for fence removal if the City requires use of the right-of-way for public purpose or if the business ceases operations. The City is to be indemnified by Barnum & Tenny against claim and damage liability to any vehicles or equipment stored behind the fence as a result of snow removal operations.

4. A snow piling area be maintained between the curb line and the fence line.

By Councilmember Canady

Carried unanimously

RESOLUTION #258

BY: COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, the City of Lansing has acquired and cleared the former

Diamond Reo property with the goal of eliminating a severe blighting influence on adjacent neighborhoods, while at the same time creating land available for new development; and

Whereas, subsequent to its acquisition of the former Diamond Reo property, the City of Lansing found the property contained areas of soil and/or groundwater contamination; and

Whereas, in August, 1988, the voters of the City of Lansing authorized the sale of bonds that will allow for the implementation of activities that will alleviate certain environmental problems on City-owned properties, including the former Diamond Reo property; and

Whereas, the Lansing City Council authorized the sale of bonds to eliminate contamination that has been found to exist on the former Diamond Reo property; and

Whereas, Meelad A. and Janet E. Ellis, representing Lansing Sanitary Supply Co., and the City of Lansing have completed negotiations on a Contract for Sale of Land for Private Development for a portion of the former Diamond Reo property; and

Now, Therefore, Be it Resolved that the City Council of the City of Lansing hereby approves and authorizes the sale of that portion of the former Diamond Reo property, which is legally described as:

Commencing at East ¼ corner, Section 21, T4N, R2W, City of Lansing, Ingham County, Michigan; thence South 89 degrees 46 minutes 26 seconds West, along the East-West ¼ line of said Section 21, 2,490.64 feet to the Easterly Right-of-Way line of Washington Avenue; thence South 00 degrees 08 minutes 37 seconds East, along said Easterly Right-of-Way line, 495.02 feet to the point of beginning of this description; thence North 89 degrees 46 minutes 26 seconds East, 265.00 feet; thence South 00 degrees 08 minutes 37 seconds East, 430.44 feet to the Northerly Right-of-Way line of Baker Street; thence South 89 degrees 54 minutes 49 seconds West, along said Baker Street Right-of-Way line, 265.00 feet to the Easterly Right-of-way line of Washington Avenue; thence North 00 degrees 08 minutes 37 seconds West, along said Washington Avenue Right-of-Way line, 429.80 feet to the point of beginning.

to Meelad A. and Janet E. Ellis.

By Councilmember Benavides

To discharge the Committee on Ways and Means from this item

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #259

RESOLUTION SETTING HEARING DATE

(Phase II—Lansing Convention/Exhibition Center and Associated Facilities Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 p.m. Michigan time, on May 18, 1992, at which the following members were present and the following were absent:

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell,

Canady, Crawford, Ford, Schmidt

ABSENT: None

The following preamble and resolution were offered by Councilmember Canady and supported by Councilmember Belen.

WHEREAS, the Tax Increment Finance Authority of the City of Lansing (the "Authority") has prepared and approved a second amended development plan ("Second Amended Development Plan") for the Phase II Lansing Convention/Exhibition Center and Associated Facilities Project (the "Project"), pursuant to Section 16 of Public Act 450, Michigan Public Acts of 1980, as amended (the "Act"); and

WHEREAS, the Authority has also prepared and approved a Second Amended Tax Increment Financing Plan (the "Second Amended Tax Increment Financing Plan") for the Project, pursuant to Section 13 of the Act; and

WHEREAS, this City Council has received the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan for the Project and wishes to set a date for a public hearing on the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. The public hearing upon the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan for the Project shall be held at 7:00 p.m., Michigan time, on the 15th day of June, 1992 in the City Council Chambers, City Hall, in the City of Lansing, County of Ingham, Michigan. At the hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference thereto. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits and for introduction of documentary evidence pertinent to the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan. The City Council shall make and preserve a record of the public hearing, including all data presented at the hearing.

2. The City Clerk is hereby directed to publish and mail notice of the hearing, such notice to be in substantially the form attached hereto, in accordance with Section 17 of the Act.

3. The City Clerk is hereby directed to inform the Ingham County Board of Commissioners, the Lansing School Board, the Lansing Community College Board of Trustees, the Capital Area Transportation Authority, the Capital City Airport Authority and the Ingham Intermediate School District of the Second Amended Tax Increment Financing Plan and the public hearing thereon, including the fiscal and economic implications of the Second Amended Tax Increment Financing Plan, so that each of these taxing jurisdictions may have the opportunity to present their recommendations at the public hearing on the Second Amended Tax Increment Financing Plan.

4. Pursuant to Section 20(1) of the Act and the finding by this Council that there are less than 100 persons residing in the Development Area, a project citizens district council is not required for the Project, and therefore such council will not be formed.

5. The City Clerk is hereby directed to forward four (4) certified

copies of this Resolution to the Secretary of the Authority.

6. All resolutions or parts thereof in conflict with this Resolution are hereby repealed, but only to extent of such conflict.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSTENTIONS: None

RESOLUTION DECLARED ADOPTED

RESOLUTION #260

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 139 South Larch Street, legally described as:

3301 16 428 141

Lot 8, Block 1, Barnard's Sub, REC L 1 P 32

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 26, 1992 at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on May 4, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution May 18, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same

within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing

May 18, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #261

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on May 15, 1992, Francis M. Fine passed away at the age of 78; and

WHEREAS, when he created Fine-Built Homes in 1961, Mr. Fine began residential developments that would eventually total 7,000 single-family homes and 1,500 apartment units in the Greater Lansing area; and

WHEREAS, Mr. Fine concentrated his efforts on quality buildings for middle and low income families, during a period when Lansing experienced great demand for such housing due to rapid growth; and

WHEREAS, Mr. Fine was of immense assistance to the Capital City, serving on the Mayor's Committee for Efficiency in Government as well as providing advice on changes to the Zoning Code; and

WHEREAS, he also served on the St. Lawrence Hospital board, the Community Mental Health Board, and was active in the Lansing Home Builder's Association and the Lansing Board of Realtors, finding many ways over the years to help the poor of our community;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends the life and accomplishments of FRANCIS M. FINE, and expresses heartfelt sympathy to his daughters.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Canady

That we proceed to the passage of Ordinances.

By Councilmember Canady

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, providing for the rezoning of a parcel of

real property located in the City of Lansing, Michigan and for the revision of the District Maps adopted by Section 1246.02 of the Code for property located at Z-1-92, 228 North Chestnut Street be rezoned from "DM-3" Residential District to "D-1" Professional Office District be placed on order of immediate passage

By Councilmember Canady

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the District Maps adopted by Section 1246.02 of the Code for property located at Z-1-92, 228 North Chestnut Street be rezoned from "DM-3" Residential District to "D-1" Professional Office District be now passed.

YEAS: 8

NAYS: 0

ABSENT: 0

ORDINANCE #02340

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-1-92, 228 North Chestnut Street

Parcel Number: 3301-16-158-011

Legal Description: West 63 feet of Lot 11, Block 93, Original Plat, City of Lansing, Ingham County, Michigan

From "DM-3" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

James D. Blair, City Clerk

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Belen, a resolution of tribute to Francis M. Fine

HANDLED AS RESOLUTION #261

REMARKS BY THE MAYOR

Mayor McKane reported that the concert on Sunday, May 17, 1992 given by the Lansing Concert Band at Dart Auditorium in celebration of their 25th anniversary was excellent. He also reported that he took part in a play at the First Assembly of God Church in East Lansing. He played the part of a Mayor, to whom was given a donation to help homeless families. However, when they actually presented him with the check it was for real. A check was given in the amount of \$1,994.74 to go to the Rotating

Sanctuary Program that is operated by area Churches who take turns providing shelter, clothing, and food to homeless women and children. He reminded everyone that the Memorial Day Parade will be this Saturday, May 23, 1992 at 10:00 A.M. At 11:15 will be a special ceremony honoring Fire Fighters who have died in the line of duty. At 12:00 in Evergreen Cemetery will be a memorial for Soldiers. There will be no trash collection on Monday, because of Memorial Day. Pickup will run one day late for everyone this week. He reminded everyone that there will be no enforcement for parking meters Monday, May 25, 1992.

REMARKS BY COUNCILMEMBERS

Councilmember Canady said that Gary Andrews was inadvertently deprived of a portion of his 5 minutes speaking time last Monday night. Therefore, the next time Mr. Andrews appears to speak before Council, he will move that he be allotted the 1 minute 40 seconds of time that he lost.

Councilmember Schmidt announced that former Governor John Swainson will be the Master of Ceremonies at Saturday's Memorial Day Parade, and will also be the Guest Speaker at the Memorial Service at Evergreen Cemetery. She asked Mayor McKane to look into two houses in the 1400 Block of Linval that appear to have been abandoned. There are many bags of trash outside the homes. She thanked Councilmember Belen for having a tribute to Francis Fine written. She and her husband bought a Francis Fine house many years ago and still have the clock that he gave each of the first buyers of one of his homes. She announced that she had been given a new hat by the Lansing Safety Council to show their support of Adult Crossing Guards. She announced the annual Neighborhood Watch Picnic at Francis Park tomorrow evening.

Councilmember Belen asked for support for the Cristo Rey Community Center. They are in need of a Commercial Oven in order to continue to prepare meals for senior citizens. Anyone who could donate an oven, or help with the donation, would be greatly appreciated by this very important program. She said Lansing High School Seniors have a display at the Lansing Art Gallery and urged everyone to go to see it. She wished a speedy recovery to Council President Crawford's father.

Councilmember Ford asked Mayor McKane to have the house at 1470 W. Main St. checked out. They were issued a 20 day order for Make-safe or demolish four months ago. He has received many calls from neighbors asking why nothing has been done. He asked Mayor McKane to check into some houses in the 900 Block of Cawood St. whose lawns have been damaged by the Public Service Department. He announced that last weekend he was a speaker at Mt. Zion Baptist Church for a program to provide extra academic help to young people.

Councilmember Beal said that last weekend Bingham Street Elementary School held a very successful Spring Carnival. She said she only lasted 15 minutes in the dunking tank. She has had several requests that the City open up their tennis courts.

Council President Crawford said he and his family live in a Francis Fine house. He credited Mr. Fine with being a large part of the reason the City of Lansing can offer such high value housing. He announced that Committee of the Whole will meet at 3:00 this Thursday, and offered an apology to Walter Jones for adjourning the meeting before he had an opportunity to speak last week.

Councilmember Canady announced that the Committee on Physical Development will meet this Thursday at 2:00 rather than 3:00.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker Street said Council Chambers belong to the Citizens and that Council practices censorship.

Douglas Fairbanks, no address given, asked how big the new ballroom in the Lansing Center would be, and how much it would cost to park. Mayor McKane told him it would be roughly as big as the banquet room at the Holiday Inn South, and that parking rates for the Municipal Parking System are determined by Resolution of Council and would vary from year to year.

William Hubbel of 1128½ Cooper Ave. said he thought the public ought to know that one of the Mayor's letters from tonight's agenda contained information about a changeover in the City's Early Warning Siren System and another one announced the conclusion by the United States Department of Justice in the Cipriano Torres matter.

Dr. Earl T. Pauley, Jr., no address given, repeated that he feels this to be the best City Council in the country and possibly the world. He warned that Americans are going to have to pay for their terrible racial injustices.

Lloyd Teets of 116 E. Elm St. said that the City's negotiations with the Board of Water and Light for an increase in the return on equity they pay the City took place in a closed meeting. This is in violation of the Open Meetings Act. He said the new plans for the Lansing Center make it look like a modern prison.

Harold Leeman of 529 N. Francis asked Councilmember Canady what become of the resolution for the sale of land by the Board of Water and Light to MDOT. Councilmember Canady replied that this has not been reported out of Committee yet, but should be by next week. Mr. Leeman criticized Mayor McKane for not being present at last weeks meeting for the passing of the 1992-93 FY Budget. Mayor McKane responded that the budget was approved one week earlier than it usually is and he had previously committed himself to attend an awards ceremony in which he would be receiving an award.

ADJOURNED 8:45

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

167

Proceedings, May 26, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
May 26, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Ford, Schmidt

ABSENT: Councilmember Canady

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

By Councilmember Schmidt

To approve the printed Council Proceedings of May 11, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1 / From Councilmember Belen a memo from City Attorney, Al Knot regarding the Combined Sewer Overflow Project

2 / From Councilmember Schmidt a letter from T & T Properties, Inc. in opposition to PI III, Jolly Rd. from Aurelius to Dunckel

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Amendment to Chapter 1042 of the Code of Ordinances, City Sewage Disposal System

Lloyd Teets of 116 E. Elm St. stated his opposition to this amendment. He considers it to be a service charge that constitutes a rate increase related to the increased return on equity paid to the City by the Board of Water and Light. He said the service charge should be based on the amount of water used in order to be equitable.

R. Chris Bratschi, with law offices at 300 N. Grand River, spoke on behalf of his client, Walter Jones. They are opposed to this amendment because the rate structure puts an unfair burden on low income, single family residents requiring them to pay higher rates than residents of apartment houses.

George Warren, on behalf of AFSCME-AFL-CIO, Local 3069 objected to the 63% increase. He said it will be a hardship for many senior citizens on social security benefits and other low income families who cannot afford to bear these costs. These people cannot pass their costs on to consumers, as business establishments can, to offset increased charges. He asked for a system that bases rates and charges on the amount of consumption.

Richard Baker of 1625 W. Kalamazoo said he is in opposition to this amendment because of the rate structure. Charges should be based on volume generated. He ask Council to come up with a more equitable rate structure that is more conducive to conservation.

David Weiner, of Representative David Hollister's Office, asked Council to consider alternatives to this amendment. He asked why they needed such a high increase in revenues. He said this amendment does not increase the charges to industrial customers. They object to the amendment because, as poverty continues to grow, so do charges for services performed.

Don Hines of 1000 Michigan National Tower, speaking on behalf of the Industrial Council, stated their support of this amendment. He said it is more than fair. He said the City has been working on the restructuring of wastewater rates for many years and has conducted many studies. They culminated last year with the adoption of the Wastewater Treatment Rate Ordinance. That amendment was the first step, this amendment is the second phase in a process designed to allow the inequities that existed in the system to be smoothed out over a period of time.

Douglas Fairbanks, no address given, asked how these charges were billed. Council President Crawford responded that they are billed monthly.

Harold Leeman of 529 N. Francis asked Mr. Hine to identify who the Industrial Council is.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. In consideration of Special Assessment Roll #323 for 1992 Curb and Gutter and Storm Sewer Project PS #78015 for property fronting on Jolly Road from Aurelius Road to Dunckel Road

Damas & Associates of 6810 S. Cedar St. submitted a letter, on behalf of their clients T & T Properties, Incorporated, objecting to the special assessment. They request that the City defer the payment of the assessment over a 5 year period.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Harold Leeman of 529 N. Francis asked why the selection of the External City Auditor is for such a long period of time. He pointed out that many department heads will be eligible to retire under the voluntary reduction in force plan and suggested that they approve the selection of the outside auditor for one year, allowing them to appoint new department heads before making a selection that may be in conflict. He asked for clarification of the equipment being purchased for the Administrative Services Department. He asked the cost of the external audit of the Lansing Convention/Exhibition Authority. He asked how much the City would spend on the Fourth of July Fireworks.

Lloyd Teets of 116 E. Elm St. asked how much the Audit for the Lansing Convention/Exhibition Authority would cost.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter and Petition signed by 35 members of the Westside Neighborhood Association urging passage of the Seven Block Development Area Citizens District Council Plan

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Notice from the State of Michigan, Department of Commerce granting an extension of time to Clara's Inc., 637 W. Michigan Ave. to allow for the transfer of a 1992 Class C licensed business from Sir Pizza of Michigan

REFERRED TO THE CITY CLERK

C. Letter of appreciation from the National Multiple Sclerosis Society

RECEIVED AND PLACED ON FILE

D. Notice from the Department of Natural Resources of application by the Board of Water and Light for a permit to construct in the Grand River

REFERRED TO THE MAYOR AND THE WATERFRONT DEVELOPMENT BOARD

E. Adams Plating Superfund Site Status Report and Summary

RECEIVED AND PLACED ON FILE

F. Letter from the Greater Lansing Convention & Visitors Bureau responding to an Editorial in the Lansing State Journal on May 1, 1992

RECEIVED AND PLACED ON FILE

G. Tri-County Regional Planning Commission Annual Report for 1992

RECEIVED AND PLACED ON FILE

H. Petition signed by 7 residents requesting the eviction of occupants at 207½ S. Eighth Street

REFERRED TO THE MAYOR

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mr. Boyd outlined two of Mayor McKane's letters #1, resignation of Margie R. McNutt from the Planning Board, and #7, Detroit Free Press Article regarding Landlord responsibility for houses raided for prostitution and/or drug sales. He commended the City Attorney's staff and Council for putting together the legislation for

the public nuisance ordinance, which is being used as a model for legislation of other cities.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #262

May 22, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Russell G. Swinford, Sr., Timothy D. Hoot, Forest Smith

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 18, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Resignation of Margie McNutt from Planning Board

RECEIVED AND PLACED ON FILE

2. Impending Traffic Signal Installations at Saginaw/Seymour and Oakland/Seymour

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. Public Improvement I—PS#45050—Sidewalk Improvements

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Z-2-92, Vacant Lots at Northwest Corner of Glenburne Blvd. and Waverly Rd.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Public Improvement IV—Jolly Road Reconstruction—PS#78015

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. David Taylor v City of Lansing

RECEIVED AND PLACED ON FILE

7. Detroit Free Press Article Regarding Landlord Responsibility for Houses Raided for Prostitution and/or Drug Sales

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

RESOLUTION #263

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request of The Disabled American Veterans, Department of Michigan for the provision of up to \$1,000 of City funds to offset the expenses of their convention to be held at the Holiday Inn South Convention Center on June 4-7, 1992,

REPORTS AS FOLLOWS: The Committee was informed by the Budget Director that the Mayor recommends denying this request, noting that City assistance is generally limited to either functions sponsored by the City or functions held in City facilities. The Committee concurs with the Mayor's recommendation.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

May 25, 1992.

RESOLUTION #264

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the decision of the External Audit Committee to select the City's external auditor for the ensuing five fiscal years (FY92 through FY96).

REPORTS AS FOLLOWS: The External Audit Committee consisting of the Chief of Internal Audit, the Finance Director and the Purchasing Supervisor has selected KPMG Peat Marwick as the most responsive firm to perform the City's annual audit (mandated by Charter) for the next five fiscal years with a cancellable option, upon notice, after the first fiscal year. Based upon a review of the entire content of the five proposals submitted, the Committee determined that KPMG Peat Marwick is a member of the Big Six group of CPA firms possessing substantial resources to perform the audit; has significant experience in the area of governmental auditing; and has submitted a competitively priced proposal commensurate with their qualifications.

This report is for information only and no action is needed by the entire Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

To amend the Committee Report by striking the last paragraph "This report is for information only and no action is needed by the entire Council", and insert "That the report of the Committee be

approved in it's entirety".

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the Committee Report as amended

Carried unanimously

RESOLUTION #265

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request to utilize residual funds to purchase equipment not previously approved by the City Council,

REPORTS AS FOLLOWS: Two requests were submitted to the Committee in accordance with the Council Budget Monitoring Policy. The first request is to purchase a replacement air conditioning unit for the LPD Training Facility at a cost of \$773.

The second request is to replace two 1984 S-10 pick-up trucks with one new 7200 GVW pick-up truck at a total cost of \$17,000. This truck will be used by the Building Maintenance Division of Administrative Services.

The Committee has reviewed these requests, and recommends their approval by the Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

To amend the Committee Report by separating the two requests, approve the request for the air conditioning unit for LPD Training Facility, and return the request for a pickup truck by Administrative Services back to the Committee on Ways and Means for further consideration

Carried unanimously

RESOLUTION #266

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the decision of the External Audit Committee to extend an audit contract for one additional year on the Greater Lansing Convention/Exhibition Authority's external audit (FY1992).

REPORTS AS FOLLOWS: In additional business, the External Audit Committee approved a one year extension to the contract to Deloitte & Touche for audit services for the Greater Lansing Convention/Exhibition Authority. Deloitte & Touche's price quote reflects a 4% cost of living increase to last years contract.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

To amend the Committee Report by striking the last paragraph "This report is for information only and no action is needed by the entire Council", and replace it with "That the report of the Committee be Approved", and place an affirmative roll on the Report as amended

Carried unanimously

RESOLUTION #267

THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, to whom was referred the Mayor's recommendation to acquire Fairview Park.

REPORTS AS FOLLOWS: The Committee met with Ingham County Drain Commissioner George Griffiths, his drain consultant from Fishbeck Thompson Carr & Huber, and Lansing Township Supervisor John Daher. Mr. Griffiths explained a County drain project linking Fairview Park, the Toll Gate Drain, and the Groesbeck Drain. This project requires an easement within Fairview Park. The Committee reached agreement in concept that the City would acquire Fairview Park from the State of Michigan, transfer the property to the Ingham County Drain Commission, and develop an intergovernmental agreement with Lansing Township on public safety services for the park property. The Drain Commissioner will support continued use of the parcel as parkland except for the portion needed for a runoff storage area, and maintenance costs will be paid through a drainage assessment district. This matter is hereby referred back to the Committee on Physical Development for further discussion of the concept outlined above. This report is for information only, and no Council action is required at this time.

Signed: ELLEN M. BEAL
JAMES A. CRAWFORD

BY COUNCILMEMBER BEAL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

ITEM #XII A-1, Resolution on the Acquisition of Property, 521 N. Butler Blvd. was pulled from the agenda at the request of Councilmember Canady and referred to the Committee on Physical Development

RESOLUTION #268

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Roland Faulhaber, Sr., filed a claim against the City in the amount of \$570.80 as reimbursement for damage to his personal vehicle due to striking the curb at the end of the left turn lane on southbound Martin Luther King Boulevard/Logan Street near Rundle Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the appeal to the General Services Committee for investigation; and

WHEREAS, the Committee heard testimony from the Public Service Director, who had spoken with the claimant regarding the facts of the incident, and the claimant had mistakenly driven into the left turn lane while southbound on King/Logan but could not return to the traffic lane before striking the curb; and

WHEREAS, the Committee found no liability on the part of the City and recommended that the denial of this claim be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Roland Faulhaber, Sr.; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

May 26, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #269

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nicholas L. Kuster filed a claim against the City in the amount of \$23,000.00 as reimbursement for the loss of his investment in a residential, property at 1019 North Chestnut Street following the City's board up of the building; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were received by this Council and referred to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of his claim; and

WHEREAS, the Committee found no basis for the claim, and concurred with the City Attorney's staff recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the Committee on General Services to deny the claim of Nicholas L. Kuster; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

May 26, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #270

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Doris C. Foley filed a claim against the City in the amount of \$400.40 as reimbursement for property damage resulting from a sewer backup into the basement of her residential property located at 552 Hamilton Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the appeal to the General Services Committee for investigation; and

WHEREAS, the Committee found that the backup resulted from a plugged sewer main which was cleared promptly by the Public Service Department, and the doctrine of governmental immunity exempts the City from liability under these circumstances; and

WHEREAS, the Committee recommends that the denial be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Doris C. Foley; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

May 26, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #271

BY COMMITTEE ON WAYS AND MEANS 5/26/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$901.02 from Est. Rev. A/C 101-000000-170001-00000
901.02 to Pol.-Bdgt. Ctrl. A/C 101-343201-992200-00000
(Donations from the Bowling Centers Association of Michigan for D.A.R.E. Program)

\$49,750.00 from Est. Rev. A/C 101-000000-170001-00000
49,750.00 to Fire Dept.—
Bdgt. Ctrl. A/C 101-343501-992200-00000
(Purchase of equipment for Fire Advanced Cardiac Life Support Training Program (Memo Act. #101-343540 977000-0).

\$100.00 from Est. Rev. A/C 101-000000-170001-00000
100.00 to Hum. Rel.-Ctrl. Acct. A/C 101-672500-992200-00000
(Donation from Community Housing Resource Board in support of Fair Housing Week. To be utilized for payment for interpreter services used during Fair Housing Observance (Memo Account 101-672500-741880-0 (new).

\$5,000.00 from Est. Rev. A/C 101-000000-170001-00000
5,000.00 to Parks and Rec. Budget Control A/C 101 783860-992200-00000
(To secure contract for July 4th fireworks, also utilizing \$2,500 from last year's fundraising efforts. To Memo Account 101-783810-741878-0.)

Submitted By
Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #272

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on Sunday, May 17, 1992, Lansing native William J. Mahoney passed away at the age of 94; and

WHEREAS, after high school, college, and two years of playing quarterback on a professional football team, Bill Mahoney began his career at Oldsmobile in 1924, was named Personnel Director in 1942, and retired from that position in 1962; and

WHEREAS, Mr. Mahoney served the City of Lansing as member and president of the Board of Police and Fire Commissioners during 1943-48 and again during 1953-62, as a City appointee to the Ingham County Board of Supervisors from 1965 until 1969, and as the first incumbent in the newly created position of City Employee Relations Director from January through July, 1967; and

WHEREAS, in addition to his influential position at Oldsmobile, Bill was well-known for his support of Catholic schools and their students, as well as for his ring announcing in many local Golden Gloves boxing tournaments and his active involvement in several civic organizations;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends the life and accomplishments of WILLIAM J. MAHONEY, and expresses deepest sympathy to his wife Laura, their son Jerry, and the rest of the Mahoney family.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Belen a memo from City Attorney, Al Knot regarding the Combined Sewer Overflow Project

REFERRED TO THE COMMITTEES ON PHYSICAL DEVELOPMENT AND WAYS AND MEANS

2/ From Councilmember Schmidt a letter from T & T Properties, Inc. in opposition to PI III, Jolly Rd. from Aurelius to Dunckel

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Brockwell

To excuse Councilmember Canady from tonight's proceedings

Carried unanimously

REMARKS BY EXECUTIVE ASSISTANT TO THE MAYOR

Mr. Boyd continued discussion of the Public Nuisance Ordinance or "Padlock Law" as it is commonly called. He said Flint, Grand Rapids, Battle Creek, and Pontiac have all adopted similar legislation. He responded to a request made by Councilmember

Beal last week regarding the opening of City tennis courts. He said all City courts are open with the exception of those that require repair. He reminded everyone that green bag collection is delayed by one day this week because of Memorial Day.

REMARKS BY COUNCILMEMBERS

Councilmember Ford announced that he has a letter from Dorothy Jones regarding cuts to the Parks and Recreation Department and the proposed renovation of the Lansing Center. He assured her that Council would be closely monitoring the situation with City parks. He said that the construction of the Lansing Center was already underway when he was elected to Council. He announced that South Central Neighborhood Organization and Friends of Moores Park Pool are holding a Pool Cleanup and Painting Day on May 27, 1992. O'Leary Paint is donating the paint. Anyone interested in volunteering may contact Dorothy Jones at 482-0744, Sheila Murray at 372-3765 or Doris Collins at 484-9914. He said the tennis courts at Kingsley Center were in very bad shape during the recent tournament in memory of Leonard McConnell. Council may know the difference between Capital Improvements and Operating Expense, but what people see are the conditions of parks. Council must pay close attention to the Community Centers. He asked when cemetery hours were changed to 9:00 A.M.-5:00 P.M.

Councilmember Schmidt thanked R. Eric Reickel and the Staff of the Parks and Recreation Department for the attention given to the Cemeteries for Memorial Day. They were in extremely good shape for the Public. She complimented the Memorial Day parade, but objected to politicians using it to campaign. She asked to be involved in the planning stage of the Memorial Day Parade next year.

Councilmember Beal said the Public Nuisance Ordinance is being used as a model nationwide. City Attorney, Al Knot was heard on the radio as far away as Portland, Oregon explaining it's function. She said that the Wastewater Treatment Ordinance amendment would actually amount to a \$50.00 savings over the course of a year.

Councilmember Brockwell congratulated Council Assistant, Ron Onufer on the induction of his youngest daughter into the National Honor Society. He thanked Kris Nicholoff for his dedication to raising money for kid's camps. Mr. Nicholoff set his fund raising goal at \$63,000 and said, if he did not raise it, he would donate it himself. He said that Pat Hayden has written a book on the Lansing Police Department, "Behind the Badge". It is available at a cost of \$22.95. He suggested that everyone pitch in to help the situation with Parks and Recreation budget cuts. If you have a park near you that needs the grass cut, go out and mow it.

Councilmember Belen complimented the Parks and Recreation Department staff on the condition of Cemeteries for Monday. She said they have never looked better. She suggested that Council needs a public relations specialist to explain some of their actions to the public. She also complimented the LPD for their prompt, courteous response to a break in attempt at her store one week ago today. She said it is not easy for Council to pass legislation that will result in increased rates. They know how hard it will be on people, but the bond issue to improve the sewage system has to be paid for.

Councilmember Benavides said that the focus of attention of the Parks and Recreation Staff this last weekend was on the Cemeteries and they overlooked other areas. He pointed out that Parks and Recreation received the most cuts to their budget and will need a lot of help from everyone to keep up. He has had many calls from people about the need for improvement to playground equipment, new wood chips, tree trimming, etc., but they need to be careful about how the parks and recreation staff is spread out.

Council President Crawford said that the concentration of the Parks staff was in the right place for Memorial weekend. The millage that was passed a couple of years ago was for capital improvements to Parks not operating expense.

CITIZENS MAY COMMENT

Harold Leeman of 529 N. Francis pointed out that the Ethics Board has not met in 3 to 4 months. He asked for statistics on acreage versus run off in Fairview Park. He asked about residency requirements for members of the Lansing Convention Exhibition Authority.

William Bernstein of 420 S. Baker stated that he has been persecuted because of his ethnic background.

Douglas Fairbanks, no address given, said the Memorial Day Parade was the best parade in Michigan and he agrees with Councilmember Schmidt that campaigning should not be allowed.

George Warren of AFSCME-AFL-CIO, Local 3069 said that if Council has to raise additional funds by raising rates for the wastewater treatment system they must do it without haste, and with consideration and fair treatment to all residents.

Lloyd Teets of 116 E. Elm St. disagreed with Councilmember Belen's statement that Council needed a PR person. He pointed out that the City already pays a lobbyist \$30,000 per year to look out for its' interests. He objected to the renovation of the Lansing Center.

John Campanile of 4902 Tressa Drive asked how many signatures were required to place a referendum on the ballot for the Presidential Election. Council President Crawford directed him to the City Clerk's Office for assistance.

Frank Dire of 636 Kendon Drive objected to the early reduction in force plan, saying he never knew any place that could be retired from with only 8 years seniority.

ADJOURNMENT 9:20

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

173

Proceedings, June 1, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
June 1, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. on Monday, June 1, 1992 and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Canady

MINUTES

By Councilmember Ford

To approve the printed Council Proceedings of May 18, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a letter from Howard Perben of 1314 E. Hazel St. regarding parking problems on Michigan Avenue

2/ From Councilmember Benavides a Committee Report from the Ways and Means Committee recommending approval of the purchase of equipment for Administrative Services Department

3/ From Councilmember Canady a letter from R. David Wilson, Attorney for Capitol City Lodge #141 of the Fraternal Order of Police regarding the ratification of the tentative agreement between the City and the Parks Police

4/ From Councilmember Canady a letter from Donald L. Reisig regarding the Park Security Division

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of SLU-4-92, 430-440 N. Larch Street for Volunteers of America to allow them to establish a Residential Care Facility for up to 50 men and 25 women and children

Douglas Fairbanks of 107 May St. spoke in support of this request.

Lloyd Teets of 116 E. Elm called Lansing a 'dumping ground' for residential care facilities that other communities will not accept. He referred to residential care facilities as warehouses for people.

Paul Scott of 1223 Larned stated his support of this request. This facility will replace another facility on River Street. He said this will

be a benefit to the community and an asset to the homeless.

Harold Leeman of 529 N. Francis asked if the people at the Rescue Mission would be moved into this facility and if any City money is involved either directly, or indirectly. He suggested that the Mayor's office watch out for the people that hang out by the Railroad tracks near this location, they could be a potential problem.

Pat Dowell, Executive Director of the Volunteers of America for 22 years, asked for approval of their request. The City bought the Rescue Mission property, a very high use shelter. In the last year they have seen large increases in the amount of people needing their services and expect the remainder of 1992 and 1993 to be a very critical time for them. The new facility will allow them to shelter women and children for the first time in the City of Lansing.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

B. In consideration of Z-3-92, 620 S. Capitol Avenue from "D-1" Professional Office and "J" Parking Districts to "D-1" Professional Office District for Michigan Manufacturers Association to allow them to construct a new office building

Lloyd Teets of 116 E. Elm St. stated his opposition to this request, because there has always been a parking problem in downtown Lansing.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

PUBLIC COMMENT

Mark Fineout of 905 W. Genesee St. introduced approximately 10 members of the Genesee Street Association and stated that they support the acquisition of 501 N. Butler.

Douglas Fairbanks of 107 May St. asked how long the demolition process takes.

Lloyd Teets of 116 E. Elm St. said the City is demolishing structures faster than builders can build new ones. He feels that demolition orders should be Court ordered. There is no due process of law under the current procedure. He said there are 146 houses targeted for demolition this year.

Harold Leeman of 529 N. Francis said that a local radio station reported that Council would be taking action on the Lansing Center tonight. He asked that Council try to keep the media a little better informed. He asked who would be administering the Recreation Scholarships, how the referral process works, and how much each scholarship would be worth. Councilmember Benavides said the program would be handled by the Human Resources Department, Parks and Recreation and the Lansing School District would handle making the referrals, and each scholarship will be worth approximately \$50.

SPECIAL CEREMONIES

Mayor McKane introduced Steve Widder Director of the 1992 "Michigan Run". Mr. Widder announced that this is the 5th annual Michigan Run. He said they expect this year's run to bring approximately 1,600 people into the downtown area and in cooperation with the Greater Lansing Convention Visitors Bureau they have put together a coupon package. This year's guest speaker will be Dr. George Sheehan. He gave each Councilmember one of last year's Michigan Run T-shirts. It won the Best T-shirt Award given by "Michigan Road Runner" magazine.

Mayor McKane Presented the Key to the City to two University English Instructors visiting from Poland under a program sponsored by the League of Women Voters designed to allow them to learn the practical aspects of a democratic society. They thanked everyone for the warm hospitality shown to them on this trip and the League of Women Voters for bringing them here to learn how to build their own democracy.

The resolution of Tribute to Kris Nicholoff has been rescheduled for next week.

Councilmember Ford presented a resolution of tribute to students of Walnut Elementary School who have adopted Comstock Park. They have been working together under the supervision of the Walnut School PTA and their parents to clean up the park and keep it looking nice for the sporting events that are held there. Mary Jo Kerekes, President of the Walnut PTA accepted the resolution and asked the students to introduce themselves. She said they hold a monthly cleanup of the park during the school year.

Councilmember Schmidt said that her Legislative Intern, Kristine Cummings would be receiving her resolution of tribute at a special ceremony in the Senate Chambers at the Capital Building tomorrow.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter from Harold Leeman of 529 N. Francis requesting that Council remove Kevin McKinney from the Greater Lansing Convention/Exhibition Authority Board

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE OF THE WHOLE

B. Letter from Attorneys on behalf of Dr. Morlock of 702 W. Barnes Ave. requesting that the previous parking rights in front of the building be continued

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

C. Public Notice from the Michigan Water Resources Commission of their intent to consider modification of a discharge permit to the City of Lansing in conjunction with the Final Combined Sewer Overflow Project Plan

REFERRED TO THE MAYOR

D. Claim appeal of Sallie Redfern of 3311 S. Catherine

REFERRED TO THE CITY ATTORNEY AND

THE COMMITTEE ON GENERAL SERVICE

MAYOR MAY COMMENT

Mayor McKane outlined the following letters on tonight's agenda; #6 regarding City of Lansing v Douglas David, Zoning Code Violation, #7 Zoo Admission Fees, #8 Mission Statement of the Lansing Police Department, and #12 through #17 reappointment to City Boards.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #273

June 1, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

BUILDING WRECKER: M.R.C. Incorporated
PUBLIC DRIVER: Gordon E. Smith, Ronald Duffield, Louis A. Wheatley, Tina Marie Smith, Gregory Paul Stammer, Dereld Ruffin, Curt Allen Ophaug
WASTE HAULER: G.L. DePue & Associates, Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 26, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from Raymond O. Severy, Assistant Director of the Public Service Department submitting the Final Report of the Wastewater System Independent Study Committee

REFERRED TO THE COMMITTEES ON PHYSICAL DEVELOPMENT AND WAYS AND MEANS

D. Letter from the Board of Water and Light submitting their Annual Budget for Fiscal Year ending June 30, 1993

RECEIVED AND PLACED ON FILE

E. Letters from the Mayor re:

At the request of Councilmember Schmidt Mayor McKane read the following letter:

1. May 25, 1992

Mayor Terry McKane

City of Lansing
East Michigan Ave.
Lansing, MI 48933

Dear Mayor McKane:

Again, I wish to thank you, the members of your staff and many of your Departments for making the "Annual Police and Fire Field Day and Safety Patrol Picnic" such a success.

Chief Jerome Boles of the Police Department and his staff, Lieut. Robert McLain the Field Commander of the police units did an excellent job. Chief Sam Hopkins, Assistant Chief Larry Pung, and members of the Lansing Fire Department were so helpful and did a great job in their participation and displays.

Parks and Recreation Director, Eric Reickel and his staff did their usual fine job, the extra work they do for this event is greatly appreciated. With his limited staff, they were so cooperative and worked very hard.

You had other Departments involved in this event and especially your staff. The fine job they did in coordinating the various Departments help to make this event so great.

Virginia Mitchell of the Purchasing Division, who incidentally is a member of our Board of Directors, did such an excellent job.

This may sound like a thank you letter, it was intended to be one. From reports of over 3,600 young Safety Patrollers and over 300 volunteers, it was an excellent event and our Board of Directors extends our thanks to you and all of the City Employees who were involved.

Sincerely,
Marvin Lieberman, President

RECEIVED AND PLACED ON FILE

2. Public Improvement I—Fernhill Ct. Sanitary Sewer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. RESOLUTION #274

TO: Council President James Crawford and City Councilmembers
FROM: Terry J. McKane, Mayor

DATE: May 28, 1992

SUBJ: Request for Public Hearing Regarding Demolition of Structures Located at 218 Smith Ave., 3025 Stabler St., 925 W. Washtenaw, 919 W. Washtenaw, 108 110 S. MLK Blvd/Logan, 1110 W. Kalamazoo, 211 E. North St., 215 E. North St., 2404 S. Pennsylvania Ave.

The attached request is submitted with my concurrence for your review and appropriate action.

By Councilmember Brockwell

To accept the recommendations of the Mayor and set a public hearing for June 15, 1992

Carried unanimously

4. Draft Ordinance—Building, Plumbing & Mechanical Codes

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

5. Amendment to Section 812.01 of City Code by Eliminating

District 3 and Changing Established Boundaries of Downtown Mall and Environs

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

6. City of Lansing v Douglas David: Zoning Code Violation

RECEIVED AND PLACED ON FILE

7. Implementation of Zoo Admission Fee for Residents and Non-Residents

REFERRED TO THE COMMITTEE OF THE WHOLE

8. Departmental Vision, Mission and Goal Statement of Lansing Police Department

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10. Letter from Office of Site Reclamation (DNR) Recommending Grant Application to Natural Resources Commission for Approval

RECEIVED AND PLACED ON FILE

11. Z-4-92, 4301 South Pennsylvania Avenue

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

12. Reappointment of Paul Howland to Waterfront Development Board

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

13. Reappointment of Josephine Tinsley to Senior Citizens Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

14. Reappointment of Roger Serr to Human Resources Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

15. Reappointment of Michael Bryanton to Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

16. Reappointment of Grady Porter to Downtown Mall Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

17. Reappointment of Marcus Metoyer to Mechanical Construction Examiners Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

COMMITTEE REPORTS

RESOLUTION #275

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request to utilize residual funds to purchase equipment not previously approved by the City Council,

REPORTS AS FOLLOWS: This request is to replace two 1984 S-10 pick-up trucks with one new 7200 GVW pick-up truck at a total cost of \$12,200. This truck will be used by the Building Maintenance Division of Administrative Services. Residual funds in the amount of \$10,000 will be transferred from nine different line-item accounts

within the Central Garage Budget, with the necessary balance of \$2,200 transferred from the Data Processing Division's Professional Services Account. Approval of this request will result in reducing the total fleet by one vehicle.

The Committee has reviewed this request, and hereby recommends approval by the Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

June 1, 1992.

RESOLUTIONS

RESOLUTION #276

City of Lansing
Counties of Ingham and Eaton, State of Michigan

Resolution Authorizing Issuance and Sale of
General Obligation Limited Tax Bond
Series 1992

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to develop a Final Combined Sewer Overflow Control Program (the "CSO Control Program") to be submitted to the State of Michigan acting through its Department of Natural Resources ("DNR") for approval; and

WHEREAS, by a letter dated March 9, 1992 to the City Clerk, DNR acting through its Supervisor of the Surface Water Quality Division has approved the CSO Control Program submitted by the City in compliance with the NPDES Permit; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, ("Act 320") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the City Council of the City intends to authorize the issuance of limited tax general obligation bonds pursuant to Act 320 in an amount not to exceed Seven Million Five Hundred Thousand Dollars (\$7,500,000) for the purpose of constructing certain improvements included in Phase I, Segment 1 of the CSO Control Program required by the NPDES Permit including but not limited to a sanitary pump station at Pennsylvania Avenue and Fayette Street and a large storm express sewer to an existing sewer under I-496 to outfall at the Grand River (the "Improvements"); and

WHEREAS, plans and specifications for the Improvements have been prepared by the City's consulting engineers and approved by the DNR and all conditions precedent to the issuance of bonds authorized by Act 320 have been fulfilled; and

WHEREAS, Chapter III, Section 12(d) of the Municipal Finance Act, Act 202 of the Public Acts of Michigan, 1943, as amended, permits a municipality to authorize, within limitations which shall be contained in the authorization resolution of the governing body, an officer to sell and deliver and receive payment for obligations, and to approve interest rates or methods for fixing interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, place of delivery and payment, and other matters and procedures necessary to complete authorized transaction;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the CSO Control Program approved by DNR in accordance with the NPDES Permit, the City shall acquire and construct the Improvements.

2. The estimated period of usefulness of the Improvements is not less than forty (40) years.

3. The term "Authorized Officer" as used in this Resolution shall refer to any one of the following City officers: the Finance Director, Public Service Director, Mayor, or City Clerk.

4. A bond of the City designated 1992 GENERAL OBLIGATION LIMITED TAX BOND, SERIES 1992 (the "Bond") is authorized to be issued for the purpose of paying the costs of the Improvements, including capitalized interest and costs incidental to the issuance, sale and delivery of the Bond. The Bond shall be issued in the aggregate principal sum of Seven Million Five Hundred Thousand Dollars (\$7,500,000) or such lesser amount as shall be determined by an Authorized Officer at the time of sale (the "Principal Amount") and approved by the DNR and the Michigan Municipal Bond Authority (the "Authority"). The Bond shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the Principal Amount dated as of the date of delivery of the Bond, payable in principal installments serially on October 1 of each year beginning October 1, 1994 as shown on the form of Bond shown in this Resolution, or on such other dates and in such other amounts as may be determined by an Authorized Officer at the time of sale of the Bond and approved by DNR and the Authority. Final determination of the Principal Amount and the dates and principal installments of the Bond shall be evidenced by execution of the Purchase Contract between the City and the Authority providing for sale of the Bond.

The Bond or installments thereof will be subject to prepayment prior to maturity in the manner and at the times as provided in the form of Bond contained in this Resolution or as may be approved by the Authority.

Any Authorized Officer is hereby authorized to sell the Bond to the Authority at an interest rate of two percent (2%) per annum and at the par value thereof as evidenced by execution of a Purchase Contract as provided in paragraph 10 below, and to deliver the Bond in accordance with the delivery instructions of the Authority.

The Bond is expected to be delivered to the Authority in installments (the "delivery installments") and each delivery installment shall be noted on the registration grid set forth on the Bond. The delivery installments shall be deemed to correspond to the serial principal installments of the Bond in direct chronological order of said serial principal installments.

The serial principal installments of the Bond will each bear interest from the date of delivery of the corresponding delivery installment to the registered holder thereof as shown on registration grid set forth on the Bond at the rate of two percent (2%) per annum payable on October 1, 1992 and semiannually thereafter on April 1 of and October 1 of each year until maturity or earlier prepayment of said installment provided that at the time of sale of the Bond an Authorized Officer may approve a lower interest rate or a later date for initial payment of interest if approved by DNR and the Authority. The Bond shall not be convertible or exchangeable into more than one fully-registered bond.

Principal of and interest on the Bond shall be payable as provided in the form of Bond set forth in this Resolution.

The City Treasurer shall record on the registration books payment by the City of each installment of principal or interest or both when made and the canceled checks or drafts representing such payments shall be returned to and retained by the City Treasurer, which canceled checks or drafts shall be conclusive evidence of such payments and the obligation of the City with respect to such payments shall be discharged to the extent of such payments.

Upon payment by the City of all outstanding principal of and interest on the Bond, the registered owner thereof shall deliver the Bond to the City for cancellation.

The Bond may be transferred by the City Treasurer upon surrender by the person in whose name it is registered, in person or by his duly authorized attorney, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the City Treasurer. Whenever the Bond shall be surrendered for transfer, the City Treasurer shall record such transfer on the books of the City and shall register such transfer on the registration grid attached to the Bond. At the time of such transfer the City Treasurer shall note on the Bond the outstanding principal amount thereof at the time of such transfer. In the event the Bond is called for prepayment in part, the City Treasurer, upon surrender of the Bond, shall note on the Bond the principal amount prepaid and shall return the Bond to the registered owner thereof together with the prepayment amount on the prepayment date. The City Treasurer shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required (i) to issue, register the transfer of, or exchange any Bond during a period beginning at the opening of business fifteen days before the day of the mailing of a notice of redemption of the Bond or portions thereof selected for redemption prior to maturity under this Resolution and ending at the close of business on the day of that mailing, or (ii) to register the transfer of or exchange any Bond or portion thereof so selected for redemption.

5. The Bond shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and Clerk of the City (provided that at least one of the signatures on the Bond shall be a manual signature) and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bond. After execution, the Bond shall be held by the City Treasurer or designee for delivery to the Authority. The Bond and any installment thereof shall not be valid until registered by the City Treasurer or designee.

6. The City Treasurer is authorized and directed to open a separate depository account with a bank or trust company to be

designated CSO GENERAL OBLIGATION LIMITED TAX BOND SERIES 1992 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bond as it becomes due. The Treasurer shall deposit into the Debt Retirement Fund from proceeds of the Bond an amount representing capitalized interest for a period to be approved by DNR and the Authority but not to exceed three years from the date of delivery of the Bond. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. The Bond shall be payable as a first budget obligation from the general funds of the City subject to applicable constitutional, statutory and charter tax rate limitations. Commencing with the year 1992, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient such that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bond becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bond, or if there is available other monies to make the required payments on the Bond, then the City shall take such monies into account in determining such annual levy. The taxes, if any, levied hereunder shall be subject to applicable constitutional, statutory and charter tax limitations.

7. The proceeds of the Bond (except capitalized interest as provided above) and no other moneys shall be deposited in a fund to be designated as the CSO GENERAL OBLIGATION LIMITED TAX BOND, SERIES 1992 CONSTRUCTION FUND (the "Construction Fund"). Said moneys shall be used solely for the purposes for which the Bond is issued. Any unexpended balance of the proceeds of the sale of the Bond remaining after completion of the Improvements herein authorized may be used at the discretion of the Public Service Director for further improvements included in the CSO Control Program required by the NPDES Permit. Any remaining balance after such expenditure shall be paid into the Debt Retirement Fund (as hereinbefore provided) and used for the prepayment of installments of the Bond or the purchase of installments of the Bond at not more than the fair market value thereof. Following completion of the Improvements, any unexpended balance of Bond proceeds shall be invested at a yield not to exceed the yield on the Bond.

After completion of the Improvements and disposition of remaining proceeds, if any, of the Bond pursuant to the provisions of this Section, the Construction Fund shall be closed.

8. The Bond shall be in substantially the following form.

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON

CITY OF LANSING
GENERAL OBLIGATION LIMITED TAX BOND
SERIES 1992

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the "City"), acknowledges itself to owe and for value

received hereby promises to pay to the Michigan Municipal Bond Authority (the "Authority") the sum of _____ Dollars (\$_____) or such portion thereof as shall have been advanced to the City (the "Principal Amount") pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Natural Resources. The Principal Amount shall be payable on the dates and in the principal installment amounts set forth in Schedule A attached hereto and made a part hereof (as such Schedule may be adjusted if less than \$_____ is disbursed to the City or if a portion of the Principal Amount is prepaid as provided below), with interest on said principal installments from the date each said installment is delivered to the holder hereof as set forth on the registration grid hereon until paid at the rate of two percent (2%) per annum, payable on April 1, 1993, and semiannually thereafter.

Notwithstanding any other provision of this Bond, so long as the Michigan Municipal Bond Authority (the "Authority") is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at the corporate trust office of Michigan National Bank, Grand Rapids, Michigan or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; and (c) written notice of any redemption of this Bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

This Bond is a single, fully-registered, non-convertible bond in the principal sum indicated above issued for the purpose of constructing improvements pursuant to the State of Michigan Water Resources Commission Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI

0023400 as now in force or as hereafter revised. This Bond is issued under the provisions of Act 320, Public Acts of Michigan, 1927, as amended, and a resolution duly adopted by the City Council. This Bond is payable as a first budget obligation from the general fund of the City and from taxes imposed on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations.

Principal installments of this Bond are subject to prepayment prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This Bond shall be registered as to principal and interest on the books of the City kept by the City Treasurer and may be transferred only upon surrender of this Bond by the registered owner of record in person, or by registered owner's attorney duly authorized in writing, to the City Treasurer together with a written instrument of transfer satisfactory to the City Treasurer duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this Bond, and upon the payment of the charges, if any, therein prescribed.

This Bond is payable out of the City's Debt Retirement Fund for this issue, and it is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this Bond exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF, the City, by its City Council, has caused this Bond to be signed in the name of the City by the manual signatures of its Mayor and Clerk and its corporate seal or a facsimile thereof to be impressed hereon, all as of the Date of original issue.

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

By _____
Its Mayor

(SEAL)

Countersigned

By _____
City Clerk

REGISTRATION NOTHING TO BE WRITTEN HEREON EXCEPT BY THE CITY TREASURER OR DESIGNEE AS REGISTRAR

The following registration grid indicates disbursement of the Principal Amount of the Bond from the Michigan Municipal Bond Authority to the City.

Date of Registration	Name of Registered Owner	Principal installment Delivered	Signature of Registrar
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SCHEDULE A

The following payment schedule indicates repayment by the City of Principal Amount due on this Bond. Repayment of the Principal Amount shall be made according to this schedule until the full Principal Amount disbursed to the City as shown on the Registration Grid is repaid, unless prepaid as provided in the Bond. In event that the Principal Amount disbursed to the City is less than \$_____ or in event of prepayment of the Bond, the Authority may prepare a new payment schedule which shall be approved by a resolution of the City Council. NOTHING IS TO BE WRITTEN HEREON EXCEPT BY THE AUTHORITY OR ITS DEPOSITORY.

Principal Installment Due on Oct. 1	Amount of Principal Installment	Date Paid	Signature of Registrar
1994	\$310,000		
1995	315,000		
1996	320,000		
1997	330,000		
1998	335,000		
1999	340,000		
2003	370,000		
2007	400,000		
2011	430,000		
2012	440,000		
2013	450,000		
	7,500,000		

9. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bond from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code") including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds.

10. The proposed form of Purchase Contract between the City and the Authority (the "Purchase Contract") and the proposed form of Supplemental Agreement among the City, the Authority and DNR (the "Supplemental Agreement") on file with the City Clerk are hereby approved. The Authorized Officers are hereby jointly or severally authorized to execute and deliver the Purchase Contract and the Supplemental Agreement in the forms approved hereby with such revisions as they may determine to be necessary or desirable, permitted by law, and not materially adverse to the City.

11. The Authorized Officers are hereby jointly or severally authorized to take any actions necessary to comply with requirements of the Authority and DNR in connection with sale of the Bond to the Authority. The Authorized Officers are hereby jointly or severally authorized to execute and deliver such other certificates, documents, instruments, and other papers as may be required by the Authority or DNR or as may be otherwise necessary or convenient to effect the delivery of the Bond.

12. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan at a Regular

meeting held on June 1, 1992, at 7:00 o'clock p.m., Eastern Daylight Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, and Schmidt and that the following Members were absent none.

I further certify that Member _____ moved adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____ and that the following Members voted against adoption of said resolution: _____

James D. Blair, City Clerk

By Councilmembers Tony Benavides and Mark Canady

Carried unanimously

RESOLUTION #277

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Paul D. Hein filed a claim against the City in the amount of \$256.79 as reimbursement for property damage to his rental property located at 5337 Starr Avenue; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the property damage was to the building's main entry door, which was forcibly entered by police officers executing a search warrant with information that an armed suspect in a felony investigation was inside; and

WHEREAS, police reports indicate that the officers acted within departmental policy and used proper procedures, and the City is immune from liability for damage to the door; and

WHEREAS, the Committee has recommended that the denial of this claim be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Paul D. Hein; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

June 1, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #278
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

ACT-20-91
 100 BLOCK SOUTH GRAND AVENUE

WHEREAS, the Board of Water and Light has requested a full service utility easement along the pedestrian access walk located in the 100 block of South Grand Avenue; and

WHEREAS, the Planning Board has reviewed the request under the provisions of ACT 285 of Michigan Public Acts of 1931 and recommends approval of the easement with the following requirements:

1. There be no attachments or appurtenances above ground which interfere with pedestrian use of the walkway or attached to the parking structure.

2. That all utility use be subsurface because of concern for visual design features and maintaining clear views in downtown.

WHEREAS, the Physical Development Committee of City Council concurs with the Planning Board and recommends the easement be granted to the Board of Water and Light with the stipulations; and

NOW THEREFORE BE IT RESOLVED that the City of Lansing grant the requested easement to the Lansing Board of Water and Light described as:

The south 22 feet of Lot 3 and all of Lot 4 of Block 112 and that part of vacated Allegan Street lying east of Grand Avenue. Also Lots 1, 2, and the north 4 feet of Lot 3 except that part of Lots 2 and 3 as follows: Commencing at the southwest corner of Lot 2; thence east 31 feet; thence north 10 feet; thence east 65.07 feet; thence 03°05'00"E to a point 4 feet south of the north line of Lot 3; thence west parallel with the said north line of Lot 3 to the west line of Lot 3; thence north along said west line of Lot 3 to point of beginning, Section 16, T4N, R2W, Plat of the Town of Michigan, City of Lansing, County of Ingham.

EASEMENT DESCRIPTION:

The north 22 feet of the west 114 feet of the above described property.

FURTHER BE IT RESOLVED that this easement is granted with the stipulations described above by the Planning Board's recommendation.

By Councilmember Canady

Carried unanimously

RESOLUTION #279
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

ACT-10-92
 1600 SUNSET
 PADNOS IRON

WHEREAS, the Padnos Iron and Metal Company, Inc. of 1900 West Willow has requested a 50 foot easement across City owned land at 1620 Sunset Street; and

WHEREAS, the Planning Board has reviewed the request under the

provisions of ACT 285 of Michigan P.A. of 1931, and found the request to be reasonable and supported by the Public Service Department which has jurisdiction over the property; and

WHEREAS, the Council Committee on Physical Development has reviewed and concurs with the Planning Board recommendations; and

NOW THEREFORE BE IT RESOLVED, that the City Council grants a 50 foot easement along the south property line of Lot 38 and more particularly described as: the South 50 foot of Lot 38; Assessor's Plat No. 11.

BE IT FURTHER RESOLVED that the following conditions must be met by the Padnos Iron and Metal Company:

1. Daily inspection and removal of metal scrap and dirt deposited on Sunset Street from the access point to Willow Street.

2. Agreement to remove the improvements from this easement with appropriate notification whenever the City of Lansing requires the parcel for public purpose.

3. The City will be held harmless by Padnos Co. for any injury or damage within this easement, and the granting, improving or maintenance of this easement will be at no expense to the City of Lansing.

By Councilmember Canady

Carried unanimously

RESOLUTION #280
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll 321, Public Service # 66045, for Curb, Gutter and Sidewalk Construction on Cavanaugh Rd in front of, or adjacent to, the following properties:

PROPERTY BENEFITTED: CURB AND GUTTER

All lands fronting on CAVANAUGH ROAD from LOWCROFT to STABLER ROAD excepting all public streets and alleys and other land deemed not benefitted.

PROPERTY BENEFITTED: SIDEWALK

All lands fronting on CAVANAUGH ROAD from 125 feet west of LOWCROFT ROAD to 371 feet west of STABLER ROAD on the north side of CAVANAUGH from LOWCROFT ROAD to 359.08 feet west of STABLER ROAD on the south side of CAVANAUGH ROAD excepting all public streets and alleys and other land deemed not benefitted.

ROLL 321	EST. COST	ACTUAL COST	DIFFERENCE
C & G	\$36,304.25	\$36,304.25	—0—
STORM	\$45,939.90	\$45,939.90	—0—
TOTAL	\$82,244.15	\$82,244.15	—0—

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before August 31, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #281
FROM THE COMMITTEE ON PHYSICAL DEVELOPMENT

BY COUNCILMEMBER MARK H. CANADY

WHEREAS it is the top priority of the City Council of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of residential neighborhoods; and

WHEREAS residents of the City's Genesee Neighborhood Association have requested the City to acquire 521 North Butler Boulevard due to condition and overcrowding; and

WHEREAS the City Administration has recommended that this request be granted; and

WHEREAS the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisition and disposition of real property,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that the City Administration is authorized to acquire the following property, demolish the structure and sell the property to adjacent property owners according to policies established by the Community Development Block Grant Program:

521 North Butler Boulevard, more particularly described as the south 31.85 feet of Lot 20, White South Subdivision West of Butler, City of Lansing, Ingham County, Michigan; and

BE IT FURTHER RESOLVED that the City policy requiring an environmental study prior to purchase is waived for this residential property; and

BE IT FINALLY RESOLVED that all costs associated with this project shall be charged to the City's Community Development Block Grant Program.

By Councilmember Belen

To excuse Councilmember Brockwell from the vote on this item

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: 6

NAYS: 1

ABSTAIN: 1

RESOLUTION #282
PUBLIC IMPROVEMENT IV

By Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

That the special assessment roll #323 for the curb and gutter and storm sewer construction on Jolly Road (PS 78015),

PROPERTY BENEFITTED: CURB AND GUTTER

All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets and alleys and other land deemed not benefitted.

PROPERTY BENEFITTED: STORM SEWER

All lands fronting on Jolly Road from Aurelius Road to Dunckel Road excepting all public streets alleys and other land deemed not benefitted.

as returned by the City Assessor, be ratified and confirmed, and the Mayor be directed to affix within ten days his warrant directing the City Treasurer to collect said tax on or before the 31st day of August, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #283
By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing

WHEREAS, the City Council has determined it a public necessity to provide public improvements on Jolly Road, and the Public Service Department has provided plans and specifications for these improvements as part of project number PS 78015, and the City Assessor has established special assessment roll number 323 for this project.

WHEREAS, T&T Properties has two properties listed on assessment roll number 323, addressed as 2505 (3301-35-377-012-5) and 2515 (3301-35-380-003-5) East Jolly Road. T&T Properties has requested to pay the proposed easement over a five year period due to extreme finance hardship to their business.

NOW THEREFOR BE IT RESOLVED, That the City Assessor shall bill these properties in five equal installments under the terms and conditions of City Ordinance Section 1026.07.

By Councilmember Canady

Carried unanimously

RESOLUTION #284
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Parks Security Division of Capitol City Lodge #141, Fraternal Order of Police has collectively negotiated a contract for 1991-92 and an impact of layoff agreement with the City of Lansing; and

WHEREAS, the Mayor recommends approval of the proposed contract and layoff agreement; and

WHEREAS, the City Council has reviewed the proposed contract and layoff agreement and found them to be acceptable;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the proposed contract covering the period July 1, 1991, through June 30, 1992, and the agreement relative to the impact effective upon ratification between the City of Lansing and Capitol City Lodge #141, Fraternal Order of Police, Park Security Division;

BE IT FURTHER RESOLVED the City Council authorizes the Ways and Means Committee to process the necessary transfers to the appropriate salary and fringe benefit accounts to fund this agreement.

May 29, 1992

By Councilmember Canady

Adopted by the following vote:

YEAS: 6

NAYS: 1

ABSENT: 1

RESOLUTION #285

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, each year, the National Art Materials Trade Association (NAMTA) brings together about 4,000 people for the NAMTA International Convention and Trade Show, which is the largest gathering of the art materials industry in the world; and

WHEREAS, when the NAMTA show meets in Las Vegas this week, the Association will present its annual Hall of Fame Award, the industry's highest honor, to Lansing's own David O'Leary, owner of O'Leary Paint Company; and

WHEREAS, Mr. O'Leary was selected by his colleagues for this recognition for his leadership, integrity, good business practices, and a caring concern for what is good for the art materials industry and the people who use its products; and

WHEREAS, this award also signifies that Mr. O'Leary has demonstrated these characteristics in his own business and other community service while making extraordinary contributions to the industry and its association;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this, 26th day of May, 1992, hereby congratulates DAVID O'LEARY upon his selection to receive the NAMTA Hall of Fame Award; and

BE IT FURTHER RESOLVED the Members of City Council are proud to see a national organization presenting its highest honor to a Capital City businessperson.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #286

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, during deliberations on the Fiscal Year 1992-93 General Fund Budget, this Council did not add an amount to provide scholarships to disadvantaged children for City recreational programs, to be administered by the Human Resources Department, as was done in previous budgets; and

WHEREAS, this Council continues to believe that a family's financial situation should not be a hindrance to their children's participation in City recreational programs; and

WHEREAS, the Human Resources Director has agreed that such scholarships could be funded from the existing FY92-93 appropriation for Human Services;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council

hereby authorizes the Human Resources Director to award scholarships to disadvantaged children for City recreational programs, up to a maximum of \$5,000 for the fiscal year, from the FY92-93 appropriation for Human Services.

By Councilmember Benavides

Carried unanimously

RESOLUTION #287

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the students of Walnut Elementary School have "adopted" Comstock Park, and hold many school-related activities there; and

WHEREAS, under the guidance of Principal Jim Davis and PTA President Mary Jo Kerekes, students have conducted monthly cleanups of the park during this school year; and

WHEREAS, these young people have demonstrated good citizenship and a strong sense of community involvement through this volunteer effort, furnishing their own trash bags to clear the park of litter every month;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 1st day of June, 1992, hereby commends the students of Walnut Elementary School for their outstanding service to their neighborhood and to the Capital City by taking such excellent care of Comstock Park.

By Councilmember Ford

Carried unanimously

RESOLUTION #288

BY COUNCILMEMBER ALFREDA SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, since this past January, Everett High School Senior Kristine Cummings has served as a legislative intern to Second Ward Councilmember Alfreda Schmidt; and

WHEREAS, during these months Kristine has performed a variety of tasks such as assisting Second Ward constituents, keeping track of telephone contacts and correspondence, and taking notes for follow-up during meetings of the City Council and its committees as well as neighborhood meetings; and

WHEREAS, Kristine has proven to be prompt, efficient and reliable in all her work, and has provided invaluable assistance to the Second Ward Councilmember;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 1st day of June, 1992, hereby commends KRISTINE CUMMINGS for her outstanding performance as a legislative intern to Councilmember Schmidt; and

BE IT FURTHER RESOLVED the Members of Council extend to Kristine best wishes for a happy and successful future as she graduates from Everett High School.

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-2-92 Northwest corner of Waverly Road and Glenburne Boulevard to be rezoned from "A" Residential District to "D-1" Professional Office District

was introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #289

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 22, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2-92 Northwest corner of Waverly Road and Glenburne Boulevard to be rezoned from "A" Residential District to "D-1" Professional Office District.

By Councilmember Canady

Carried unanimously

ORDINANCES FOR PASSAGE

There are no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a letter from Howard Perben of 1314 E. Hazel St. regarding parking problems on Michigan Avenue

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

2/ From Councilmember Benavides a Committee Report from the Ways and Means Committee recommending approval of the purchase of equipment for Administrative Services Department

HANDLED AS RESOLUTION #275

3/ From Councilmember Canady a letter from R. David Wilson, Attorney for Capitol City Lodge #141 of the Fraternal Order of Police regarding the ratification of the tentative agreement between the City and the Parks Police

REFERRED TO THE MAYOR

4/ From Councilmember Canady a letter from Donald L. Reisig regarding the Park Security Division

RECEIVED AND PLACED ON FILE

REMARKS BY THE MAYOR

Mayor McKame invited everyone to attend the demonstration of the new recycling transfer station this Saturday from 5:15 to 6:45 P.M.

REMARKS BY COUNCILMEMBERS

Councilmember Beal reported that a longtime member of the ENO passed away. Rita Cook died earlier today and will be sorely missed by the neighborhood organization.

Councilmember Brockwell expressed his sympathy over the death of Rita Cook. He complimented Steve Widder on the super job he has done on the Michigan Run. He said he will be working Friday for the early registration. This year the Railroad is going to be cooperating so that we do not have trains interrupting the race as we did last year. He announced that he will be judging the Cake contest at the Walnut Street fair this weekend. He thanked his colleagues on Council for taking the action that they took on the acquisition of 521 N. Butler. He said it is hard to sit still and not take part in conversation about a problem that has existed in your neighborhood for a long period of time. The action that Council took tonight will help them achieve a greater percentage of owner occupied homes in their neighborhood. He said that neighborhood involvement in taking care of parks and boulevards can take the pressure off of the Parks Department.

Councilmember Ford said there is no truth to the rumors circulating about him and his wife. He said that he lives a clean, healthy lifestyle, tries to be a positive role model, and is concerned about the negative impact these rumors will have on his reputation. He announced that John Salley will be in Lansing on June 19-20 at Lansing Community College for a Basketball Camp. Proceeds will go to the LCC Basketball Program. He told the Mayor that the Westside Neighborhood Association wants to take over the mowing of Boulevards in the Sexton High School area.

Councilmember Schmidt displayed a sign that she got from the LPGA Classic last week that says "less talk". She offered it to President Crawford. She said everyone in the Tournament praised the Lansing community for being very friendly. The LPGA will be back for the next two years. She announced the Forest View Association Picnic this Saturday at Forest View Park beginning at 11:00 A.M. She asked the Mayor for further information regarding the traffic signals that will be installed with the transfer of funds he is requesting.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. said the public needs a digital timer that is visible from the podium. He said, Council Chambers belong to the citizens and the new Open Forum will not help the public, it is for the benefit of Council.

Andy Keebler of 824 Comfort St. complained about the length of the grass in the Hull Court Park at the corner of Comfort and Hull Court. He said the City assesses a \$200.00 charge against homeowners who allow their grass to get over 12" tall, but the grasses in this park are in excess of 23". He measured them.

Al George of 515 N. Butler said that for two years they have been working on a plan to improve the neighborhood on Butler Street. Everyone has been invited to these meetings, they have never excluded anyone. He said 23 more properties will come before Council for this process. The Housing Coalition turned down the option on this house because it was not cost effective.

Douglas Fairbanks of 107 May Street commented on last Thursday's Square Dance Festival. He complimented Councilmembers on the fine job they do. He asked if Councilmember

Benavides could bring in the slides of Mexico that he took when he was there for the Sister City meeting.

Dr. L.J. Miner on Westchester St. objected to the Zoo Admission Fees being raised. He said Council should be thinking about how to help Children. Mayor McKane read portions of item X E-7, relating to Potter Park admission fees and the free days that will be offered to residents of the city.

John McKissie of 216 S. Logan asked for Council's help with a demolition order on his house. He has attempted to fix the house up, but despite his efforts, the Building Safety Department is going ahead with demolition. The utility companies have removed the meters. Council President Crawford asked Mayor McKane to have his office review this situation. Mayor McKane responded that his office has had long meetings trying to resolve Mr. McKissie's problems and will continue to do so. Councilmember Brockwell said this property came before his committee on March 4, 1992 for a make-safe or demolish order. The problem is that the structure needs extensive repairs. The Committee on Public Service and the Mayor's office will continue to try to help.

Carol Walker, no address given, said that many working people cannot take time off to take their kids to the zoo on Monday's. She recalled times when she and her children would not have had anything available to them for entertainment if not for Potter Park Zoo, because they would not have had the money. She said that Council should be offering consideration to low-income families. She offered to contribute to a fund to allow low-income families to attend the zoo at no cost.

Lloyd Teets of 116 E. Elm St. objected to the City spending money on subsidizing the Lansing Center, and trying cases for disturbing a public assembly when they cannot afford to keep the Parks Police and free Zoo admission.

Harold Leeman of 529 N. Francis asked Council to check into the agreement the City made with Story Oldsmobile to take down a fence and install a guard rail in Ranney Park. Story has not lived up to their side of this deal and the park looks bad. He said that Vine St. between Magnolia and N. Hayford needs to be resurfaced.

ADJOURNED 9:30 p.m.
JAMES D. BLAIR, CITY CLERK

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, June 8, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
June 8, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of May 26, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Canady

To accept the following under suspension of the rules:

1/ From Councilmember Canady a letter from Bruce Daniels of 5929 Valencia regarding a problem in his neighborhood

2/ From Councilmember Brockwell introduction of an amendment to Chapter 812, Section 812.01 of the Code of Ordinances of the City of Lansing regarding the Downtown Mall assessment area, and setting a public hearing for June 22, 1992

3/ From Councilmember Benavides a resolution of tribute to Marvin Ray

4/ From Councilmember Benavides a letter and donation for annual passes to the zoo for low-income families from Dr. L.J. Minor, of 3018 Westchester Rd.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Charles Bauer of 721 Seymour St., on behalf of the Downtown Neighborhood Association, spoke in support of item XII E, a resolution from Councilmember Schmidt, requesting that the Michigan Department of Transportation delay its' proposed installation of traffic signals at the intersections of Seymour and Saginaw and Seymour and Oakland so the City may implement a traffic diverter system.

Lloyd Teets of 116 E. Elm St. spoke regarding the resolution of tribute to Kris Nicholoff from the Committee of the Whole. He

complimented Mr. Nicholoff for the very good job he did. He raised more than \$20,000 for recreation scholarships for kids through "LYRF" (Lansing Youth Recreation Fund). Mr. Teets asked if the city approved matching funds to go along with the amount raised by Mr. Nicholoff. He spoke in opposition to the resolution on Zoo admission fees.

SPECIAL CEREMONIES

Councilmember Canady presented a resolution of tribute to Kris Nicholoff, founder of the Lansing Youth Recreation Fund and thanked him on behalf of Council and the youths who will benefit from the money he raised for Kid's Camps. Mr. Nicholoff thanked all of the companies that contributed to LYRF, and said without the cooperation of some, like General Motors, Delta Dental, and the Detroit Lions, the drive could not have been as successful as it was.

Mayor McKane presented a proclamation honoring Eddie B. Harper, Age 77, on the occasion of her graduation from Lansing Adult Education. Mrs. Harper accepted the proclamation and admitted that she was very proud of herself. She told the audience that she promised her father she would complete her education and get her High School Diploma. She feels very good about keeping her promise.

Priscilla Holmes, Director of the Lansing Neighborhood Council introduced the Team Captains for Paint Blitz 1992. She said they did not publicize this year's event as much as they did last year because they do not have as much money this year. They will paint June 20th and will paint 20-25 houses in various neighborhoods. Anyone interested in volunteering to paint may call 372-6290.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That communications and petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter from Michael K. Northrup of 2725 Hollywood, #4 requesting that the City install sidewalks on Hollywood St., Deihm St. and the surrounding neighborhood

REFERRED TO THE MAYOR

B. Letter from Allison V. Fine of 1953 Brandywine Drive in East Lansing thanking Council for the recent tribute to her father, Francis Fine

RECEIVED AND PLACED ON FILE

C. Ingham County Drain Commission 1991 Annual Report

REFERRED TO THE MAYOR

D. Letter from Ingham Intermediate School District submitting the 1992 Summer Tax Certification

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane outlined his ten letters on tonight's agenda

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #290

June 8, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Randall R. Kindlinger
CABARET: Starr's Black & Tan, Silver Dollar Saloon
POOL ROOM/BOWL ALLEY: Trippers
PUBLIC DRIVER: Mark Allward, Sr., John Alexander Tomaich

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 1, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Request for preliminary plat approval from Snell Environmental Group, Inc. on behalf of the City Planning and Municipal Development Department for the old Diamond Reo Site

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. Letters from the Cable Advisory Board:

1. Findings and recommendations on the complaint of Martone Williams against Continental Cablevision

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Recommendations on applications for 1992-93 Community Cablecasting Grants

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letters from the Mayor re:

1. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. Street Resurfacing Update

RECEIVED AND PLACED ON FILE

3. Reappointment of Ellen Moore to Board of Review

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Reappointment of Edward Kerr to Waterfront Development Board

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5. Reappointment of Pauline Johnson-West to Cable Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. Reappointment of Edward F. Cook to Traffic Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. Letter of Appreciation from Westside Neighborhood Association Regarding Recent Drug Raid at 105 Lahoma Street

RECEIVED AND PLACED ON FILE

8. Traffic Signal Projects

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9. Request for Authorization to Purchase Property in the North Lansing Historic Commercial District

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND
THE COMMITTEE ON WAYS AND MEANS

10. Lansing Housing Commission Receipt of Specific Activity Award from U.S. Department of Housing and Urban Development

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

RESOLUTION #291

Z-3-92

620 South Capitol Avenue

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-3-92—620 South Capitol Avenue to be rezoned from "J" Parking District and "D-1" Professional Office District to "D-1" Professional Office District

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady

Lucile Belen

Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

RESOLUTION #292

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request to utilize residual funds to purchase equipment not previously approved by the City Council,

REPORTS AS FOLLOWS: This request is to purchase six new

ladders for installation at the Moores and Hunter Park Pools. The purchase of these ladders has been approved in the Fiscal Year 92-93 budget. The Parks Department requests permission to purchase the ladders now in order to install them prior to opening the pools on June 13, 1992. Residual funds in the necessary amount of \$1,700 are available in the Leisure and Special Recreation Division Utility Account.

The Committee hereby recommends that this request be approved by the full Council, as required by standing policy pertaining to the utilization of residual funds.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

June 8, 1992.

RESOLUTION #293

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the recommended Fiscal Year 93 Wastewater Treatment Rates,

REPORTS AS FOLLOWS: The Committee has reviewed the changes to the ordinance language as recommended by the Public Service Director. The first change involves amending the proposed language to clarify the amount of the monthly service charge applied to customers billed on a monthly basis as compared to customers billed on a quarterly basis. This language appears six times in the ordinance.

The second change involves estimating rates for wastewater customers who obtain water from a source other than the City's water system. In these cases the City must estimate a commodity charge based upon average consumption. The public Service Director recommends that the current estimate of 900 cubic feet per customer per month be changed to 800 cubic feet per month which more accurately reflects the average consumption based on current data.

The Ways and Means Committee has concurred with these recommended changes. Further, it is the recommendation of the Committee that the final FY 93 Wastewater Treatment Rate Ordinance be placed on the City Council Agenda for action on June 15, 1992. As a final note, the Committee has requested that the Public Service Department organize some type of informational program that will serve to explain the rate-setting methodology to customers.

This matter is hereby referred to the Committee on Physical Development for final review.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES: That the report of the Committee be received.

CARRIED UNANIMOUSLY

June 8, 1992.

RESOLUTIONS

RESOLUTION #294

BY: COUNCILMEMBER LUCILE BELEN

WHEREAS, the Lansing City Council granted Commercial Facilities Exemption Certificate #83-005 to Rexford Carl, Jr. to renovate existing property at 503 East Grand River Avenue, Lansing, and;

WHEREAS, the granting of this certificate was contingent upon certain renovation criteria taking place and since the extent of the work performed to date is not consistent with the improvements described in this certificate, this certificate should be revoked; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on the revocation of this Commercial Facilities Exemption Certificate granted to Rexford Carl, Jr.; and

NOW, THEREFORE, BE IT RESOLVED, that the property owner of record as identified in the City Assessor's records be mailed notice of the public hearing regarding the revocation of this certificate; and in addition that notice of such hearing be published in a publication of general circulation in the City; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that such hearing be held in the City Council Chambers, Tenth Floor, Lansing City Hall, at a regular meeting of the Lansing City Council on Monday, June 29, 1992.

By Councilmember Belen

Carried unanimously

RESOLUTION #295

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the South Lansing Church of Christ filed a claim against the City in the amount of \$2,094.00 for reimbursement of property damage to the basement of the church, located at 4002 South Pennsylvania, from a sewer back-up; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee found that the sewer main had been routinely cleaned by the Public Service Department six months prior to the back up, the City had no knowledge of any problem that might have caused the plugged main, and all proper procedures for clearing the plug were performed; and

WHEREAS, the Committee has recommended that the claim be denied because the City has no liability under the doctrine of governmental immunity;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of the South Lansing Church of

Christ; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

June 8, 1992

By Councilmember Ford

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford

NAYS: Councilmember Schmidt

RESOLUTION #296

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Beverly Gaffney filed a claim against the City in the amount of \$10,000.00 for pain, suffering, lost work time, medical bills, and miscellaneous expenses resulting from a slip and fall accident on March 10, 1992, outside her place of employment at 206 East Michigan Avenue; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony in support of her claim; and

WHEREAS, the Committee found that on March 10, 1992, Lansing received freezing rain followed by 6.4 inches of snow, that removal operations began at 7 AM by the downtown maintenance contractor, that the claimant incurred her injuries by slipping on the icy sidewalk at 5 PM, and the City is immune from liability for this incident; and

WHEREAS, the Committee has recommended that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Beverly Gaffney; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

June 8, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #297

SEVEN BLOCK AREA DEVELOPMENT PLAN June 4, 1992

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS The Lansing City Council on December 17, 1989 passed an ordinance creating the Seven Block Development Area bounded by Allegan Street, Butler Boulevard, St. Joseph Street and the south bound lanes of Dr. Martin Luther King, Jr. Boulevard / Logan Street, and

WHEREAS on March 14, 1990, the ordinance was amended to identify final representation on the Citizens' District Council at fifteen members, who in May of 1990 were appointed by the Mayor and confirmed by City Council, and

WHEREAS the Citizens' District Council has continued to meet, discuss and vote on many complex issues over the intervening months, holding a neighborhood meeting on Thursday, February 27, 1992 and subsequently submitting a draft of the Seven Block Area Development Plan for consideration by the Planning Board, and

WHEREAS the Lansing Planning Board on Tuesday, March 3, 1992 held a public hearing at which fifteen people spoke (eleven in support and 4 expressing concerns and/or opposition), and

WHEREAS the Planning Board reviewed and conceptually approved the draft which generally proposes the following strategies:

1. A housing strategy which emphasizes rehabilitation where feasible with selective acquisition to remove structures for overcrowding and/or poor condition as well as to facilitate development of public purpose projects. Where housing rehabilitation is not feasible, new housing development will be encouraged in conformance with the Plan. To carry out the housing objectives of the plan, experienced nonprofit housing corporations with representation from neighborhood residents will be encouraged, and each will have equal accessibility to the monies available for rehabilitation in the plan.

2. An economic development strategy which endorses a neighborhood commercial center at the northeast corner of Kalamazoo and King/Logan to the north of south boundaries of properties fronting Allegan, east to the westerly property lines of the properties fronting on Butler; continued and expanded commercial use along St. Joseph; and residential/office uses facing the new state park and state museum.

3. A community facilities strategy which includes the following:

a. Locating Union Missionary Baptist Church with a 97,450 square foot building containing a sanctuary for 1,650 persons and a family life center with a gym, classrooms and offices in the Triangle according to plans on file with the Lansing Planning Division which will be completed within four years from the time of purchase.

b. Purchasing and moving the Church to Greater Joy to a more appropriate location.

c. Establishing a new passive park area along King/Logan.

d. Creating a neighborhood services center in the old Union Missionary Baptist Church building.

4. A circulation strategy which endorses the Capitol Loop Plan and focuses nonlocal traffic onto major streets by closing both Lenawee and Washtenaw Streets.

5. A public services strategy which will provide the physical amenities such as street lighting, curb and gutter, sidewalk and street resurfacing to improve the general aesthetic appearance and functioning of the neighborhood.

6. An overall strategy which will retain a residential character

that is compatible with the many surrounding uses, enhance the appearance and quality of life for residents and improve the physical structures and establish support services and amenities which will stabilize future development.

and,

WHEREAS the Lansing City Council on Monday, March 23, 1992 held a public hearing at which fifteen people spoke (thirteen in support and 2 expressing concerns and/or opposition) and referred the Seven Block Area Development Plan to the Physical Development Subcommittee and Lansing Planning Board for additional review and preparation of the financial package, and

WHEREAS the Physical Development Subcommittee has reviewed the conceptual strategies outlined above and agrees in principle therewith,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council agree in principle with the land use strategies outlined above and direct the Lansing Planning Board and Citizens' District Council to further refine the plan and prepare the financial package which will be necessary prior to final adoption of the plan by City Council.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSTAIN: None

RESOLUTION #298

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Mr. Paul Howland to the Waterfront Development Board for a term to expire June, 1996, is hereby confirmed.

By Councilmember Canady Carried unanimously

RESOLUTION #299

April 23, 1992

COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-4-92

430-440 North Larch Street

WHEREAS the Volunteers of America, Incorporated, has requested approval for a special land use for property located at 430-440 North Larch Street for the purpose of establishing a residential care facility for men, women and children to serve as a temporary shelter on the property more particularly described as:

Lots 6, 7 and 8. David M. Bagleys Subdivision, City of Lansing, Ingham County, Michigan; and

WHEREAS the Planning Board of the City held a public hearing on this request at their meeting of April 7, 1992, at which time the applicant spoke on behalf of the request, indicating the need for this type of facility, the need to relocate as a result of acquisition by the City of their current facility on River Street and their intentions to

comply with all City ordinances, and

WHEREAS the Planning Board, at their meeting April 21, 1992 after review of the request unanimously recommended approval of the proposal subject to certain conditions; and

WHEREAS THE Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves a Special Land Use for the property located at 430-440 North Larch Street subject to the following conditions:

1. Compliance with all Building, Health Department and Fire Code requirements.

2. Approval of a site plan showing access, parking and any site changes; and

BE IT FURTHER RESOLVED that this special land use is approved for up to 39 individuals with the understanding that capacity beyond 39 may be allowed provided the 1,000 square feet of lot area per person requirement in the Zoning Code is waived by the Board of Zoning Appeals.

In recommending this approval the City Council considered the following:

1) Compatibility with use on Adjacent Properties

The proposed site is located in the Cedar/Larch corridor in an area characterized by office, commercial and warehouse activity. The facility would be the only residential type use in the area. The likelihood exists that the activities on adjacent properties will have more impact on the subject property than vice versa. Even then the relationship should not pose much of a problem since surrounding non-residential activities are mostly daytime operations and would be closed when the major activity was ongoing at the shelter facility.

2) Change in the Essential Character of the Area

The proposal will result in an activity that is less intense than the surrounding non-residential activity. There will be an increase in mostly pedestrian traffic in the area as clients seek to use the facility. No appreciable increase in vehicular traffic in the area is anticipated. Supervision should be effective in controlling daily activities at the site and keep the facility a low-key operation that will not change the character of the area.

3) Interference with use of Adjacent Properties None anticipated.

4) Improvement to Property and Surrounding Area

Substantial improvements to the building and site are necessary to prepare the shelter facility for human habitation. The building is a warehouse structure that must be modified to accommodate the proposed shelter. The structure must be improved to meet building code and health and safety standards. Some landscaping and buffering should be added to protect the proposed shelter from non-residential and corridor activity.

5) Environmental Impacts

None anticipated. The impact will be positive if the site and building

are renovated and utilized in a productive manner.

6) **Impact on Public Services** None anticipated.

7) **Impact on Utilities** None anticipated

8) **Compliance with the Master Plan**

The Cedar/Larch Master Plan designates this part of the corridor as a location for Central Business District support facilities. Such facilities are described as residences and businesses that support offices, office workers and commercial business in the Central Business District.

While the proposed activity is not in keeping with this definition, it replaces a similar facility already located near the CBD. The existing facility near the CBD has been acquired by the City as part of a redevelopment plan to strengthen the area.

Development for CBD activities in this section of the Cedar/Larch corridor has yet to be proposed. Because no firm commitments have been made to redevelop the area, it seems reasonable to establish the proposed use particularly when it will replace a use already established downtown. It provides an opportunity to continue a valuable service in the community, renovate an under utilized site and structure and improve the appearance in the area.

The objectives of the Master Plan can still be achieved in the long term if development occurs as envisioned.

9) **Compliance with Zoning District Regulations**

The site is zoned in the "H" Light Industrial zoning district which allows for a facility of the type proposed as a special land use with specific conditions. The proposed facility meets all the following conditions as required.

A. Twenty-four hour supervision will be maintained on site.

B. The lot area (39,204 square feet) is large enough to accommodate 39 individuals (1,000 square feet per person). Since the proposal advocates up to 75 persons, eventually, a variance would be necessary for additional capacity beyond 39. An application for a variance would have to be filed at the appropriate time and ultimately approved by the Board of Zoning Appeals before additional capacity beyond 39 is allowed.

C. The proposed facility is located less than 1500 feet from a similar facility but more than 500 feet and is separated by principal arterials and a main railroad right-of-way. This distance under these circumstances is acceptable according to the Code.

By Councilmember Canady

Carried unanimously

RESOLUTION #300 PUBLIC IMPROVEMENT I

By Committee on Physical Development

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That it is hereby determined to be a matter of public health and necessity to construct a sanitary sewer at the following location:

Fernhill Court from Grand River Avenue to the north end.

AND FURTHER, that the estimated cost of this project shall be financed by special assessment to the property owners and the City's share from Account 590-453670-973000-20100.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby directed to prepare the necessary plans and specifications for these improvements, estimate in detail the cost of the said project, and furnish said information to the Mayor and City Council.

By Councilmember Canady

Carried unanimously

RESOLUTION #301 SIDEWALK RESOLUTION

BY COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity. Whereas, it is a matter of public necessity to construct sidewalk in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: All lands bounded by Martin Luther King Jr. Blvd./Logan Street, Moores River Drive, Park Avenue and Mt. Hope Avenue. Also Stoneleigh between Wabash and Provincial House. Excepting all public streets and alleys and other land deemed not benefitted.

AND that the construction of these improvements known as 1992 SIDEWALK REPAIR CONTRACT #1, P.S. #45040, is hereby ordered.

AND FURTHER, that owners of said described lands are hereby required to commence construction within twenty (20) days from the date of notification in accordance with Chapter 1024.04 of the Code of Ordinances; or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Chapter 1024.05 of the Code of Ordinance. The expense of constructing the sidewalk shall be paid out of the Special Assessment Fund and FY93 Sidewalk Repair Budget.

That the City Assessor be, and is directed to make a special assessment installment rolls, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Canady

Carried unanimously

RESOLUTION #302 BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a citizen complaint about a sight obstruction at the intersection of Downer and East Grand River has been reviewed by the Police Department, the Transportation Division, and the Committee on Public Safety; and

WHEREAS, the Committee has determined that Downer Street traffic stops for East Grand River traffic, and at least seven accidents have occurred at this intersection since 1988; and

WHEREAS, a large American Elm tree located in the south side right-of-way of East Grand River just east of Downer obstructs the eastward vision of drivers northbound on Downer, making a northbound crossing of East Grand River very hazardous; and

WHEREAS, the Committee recommends that the Mayor take steps to have the tree removed as a matter of public necessity;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby requests the Mayor to have the above-described tree removed as a matter of public necessity.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #303

BY COUNCILMEMBER SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Transportation (MDOT) has advised the City that new traffic signals will be installed this fall at the intersection of Seymour and Saginaw and at the intersection of Seymour and Oakland, due to the accident history at these locations; and

WHEREAS, the Downtown Neighborhood Association has written to the Mayor and Public Safety Committee, saying that MDOT's action will harm the Seymour neighborhood by accommodating existing traffic volumes with the new signals; and

WHEREAS, the association has asked the Council to request that MDOT delay this action while the City implements a traffic diverter system, as contained in the River Island Comprehensive Plan, that would lessen traffic volumes on Seymour and reduce the accident potential at these intersections;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby requests the Michigan Department of Transportation to delay its proposed installation of traffic signals at the intersection of Seymour and Saginaw and at the intersection of Seymour and Oakland pending results of a traffic volume reduction experiment on Seymour Street; and

BE IT FURTHER RESOLVED the Clerk is directed to forward a copy of this resolution to the Director of MDOT.

June 8, 1992

By Councilmember Belen

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Schmidt

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Schmidt

NAYS: None

ABSTAIN: Councilmember Ford

RESOLUTION #304

BY COMMITTEE ON WAYS AND MEANS

6/8/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$26,935.00 from Est. Rev.—Act 51(M)

A/C 202-000000-170001-00000

26,935.00 to Public Service Act 51(M)—

Act 51(M) Control Account

A/C 202-453634-992200-00000

(Special work authorizations from MDOT for signal work at Grand and St. Joseph, Cedar and Edgewood, and U.S. 27 and Dunckel. (Memo Account 202-453633-746703-0.) (New)

\$17,892.40 from Gen. Fund-Est. Rev.

A/C 101-000000-170001-00000

17,892.40 to Pub. Serv. Ctrl. Acct.

A/C 101-453603-992200-00000

(Operations and Maintenance Office remodeling accommodates increase in personnel for recycling program and provides work space for O.&M. crew supervisors and clerical staff.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Canady

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Ford abstaining

RESOLUTION #305

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Lansing City Council hereby reappoints Jack Gunther to the Income Tax Board of Review, term to expire June 30, 1995. June 8, 1992.

By Councilmember Benavides

To replace the original resolution with a substitute

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the substitute resolution

Carried unanimously

RESOLUTION #306

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the National Night Out Planning Committee has requested that the Council hold its regular meeting scheduled for Monday, August 3, 1992, outdoors in Durant Park as a special kick-off event for Lansing's observance of National Night Out on August 4, 1992; and

WHEREAS, after the success of the 1991 National Night Out kick-off meeting, the Committee of the Whole has expressed a desire to accommodate the request for the outdoor meeting; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby changes the location for its regular meeting of August 3, 1992, from the 10th Floor Chambers of City Hall to Durant Park, located between North Washington on the east, Saginaw on the south, North Capitol on the west, and Madison on the north; and

BE IT FURTHER RESOLVED in case of inclement weather, the alternate meeting location shall be the 10th Floor Chambers of City Hall.

June 8, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #307

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, over the past several years, Kris Nicholoff has organized a variety of self-help projects and community activities involving his Old Oakland neighborhood; and

WHEREAS, in his most recent endeavor, Kris has solicited funds on behalf of the Lansing Youth and Recreation Fund from local, businesses, corporations and associations to operate Kids Kamps this summer at St. Joe Park, Comstock Park, and Kendon School; and

WHEREAS, through Kris' efforts and the generous donations of more than \$16,000 he has gathered, hundreds of children will enjoy structured recreational opportunities that would otherwise not be available to them;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 8th day of June, 1992, hereby commends KRIS NICHOLOFF for his community spirit and outstanding contributions to the quality of life in the Capital City.

By Councilmember Canady

Carried unanimously

RESOLUTION #308

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing's east side lost a champion when Rita Cook passed away June 1 at the age of 64; and

WHEREAS, a lifelong City resident, Rita devoted nearly 20 years to the Eastside Neighborhood Organization as a member, officer, and a key worker well-known for getting things done; and

WHEREAS, Rita helped organize the first Paint Blitz in 1989, an event that brings together volunteers to paint homes of needy people; and

WHEREAS, she also was very active in the Church of the Resurrection, where she was a mainstay in the choir; and

WHEREAS, Rita was a familiar face in the Council Chambers, always sharing ideas on how to keep the welfare of our neighborhoods as the first priority of this City Government;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 8th day of June, 1992, hereby commends the life and accomplishments of RITA COOK, a volunteer and activist who gave her time, skills, and much hard work to the People of Lansing; and

BE IT FURTHER RESOLVED the members of Council share this loss with Rita's children and her many friends in the Eastside Neighborhood Organization.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #309

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Manufacturers Association is celebrating its 90th anniversary; and

WHEREAS, members of City Council desire to recognize this Lansing-based association for the vital role it has played as industry's bridge to government over the last 90 years; and

WHEREAS, in this capacity, MMA has served as an effective and articulate voice for Michigan's manufacturing community, which has had a significant impact on the growth and productivity of our economy;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 8th day of June, 1992, hereby commends the Michigan Manufacturers Association for 90 years of outstanding service to Michigan industry and the great People of this State; and

BE IT FURTHER RESOLVED the members of Council take this opportunity to extend congratulations and best wishes to MMA Executive Director John Thodis, his office staff, and the member companies of the MMA, one of the finest associations that call the Capital City their home.

By Councilmember Benavides

Carried unanimously

RESOLUTION #310

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has forwarded a report from the Director of Parks and Recreation on plans to implement a Potter Park Zoo admission fee for residents and non-residents, as approved by this Council in the FY92-93 Budget; and

WHEREAS, the report contains a provision to allow residents free admission to the zoo on non-holiday Mondays through August 30 in response to the Council's request for free admission of residents one day per week; and

WHEREAS, the Committee of the Whole has reviewed the report

and recommended that another weekday be selected for free admission of residents due to the Mondays that are part of holiday weekends; and

WHEREAS, the Committee of the Whole is satisfied with all other provisions of the report;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby requests the Mayor to select and publicize a weekday other than Monday for free admission of residents to Potter Park Zoo when the new resident admission fee goes into effect July 1, 1992.

By Councilmember Benavides

Carried unanimously

RESOLUTION #311

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marvin S. Ray is retiring from his career with the State of Michigan, leaving his position as Director of the Personnel Development Division, Michigan Department of Civil Service; and

WHEREAS, in his long history of active involvement in our community, Marvin has the distinction of being the first African-American ever to chair a City board, having been appointed to the Air Pollution Control Board in 1957 and being elected chairperson three times by his colleagues; and

WHEREAS, Marvin left the Air Pollution Board in 1972 to accept appointment to the Board of Water and Light, where he served until 1980, including a year as chairperson of the BWL Board of Commissioners; and

WHEREAS, throughout his life in the Capital City, Marvin has been an outstanding role model as a public sector professional, a concerned and caring citizen, teacher and friend of public education, as well as the cherished tasks associated with being a husband and father of six children;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 8th day of June, 1992, hereby reiterates its sentiments from a resolution adopted September 2, 1980, which commended MARVIN S. RAY for his years of tireless effort on behalf of the best interests of the City of Lansing, and which wished Mr. Ray success and warm wishes in all of his future endeavors.

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-4-92 4301 South Pennsylvania Avenue to be rezoned from "E-2" Local Shopping District to "F" Commercial District

was introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical

Development.

RESOLUTION #312

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 29, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-4-92 4301 South Pennsylvania Avenue to be rezoned from "E-2" Local Shopping District to "F" Commercial District.

Carried unanimously

INTRODUCTION OF ORDINANCE AMENDING PART FOURTEEN— BUILDING AND HOUSING CODE TITLE TWO—BUILDING STANDARDS

By Councilmember Brockwell

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part Fourteen, Title Two, Chapter 1420 Building Code, Chapter 1422 Plumbing Code, and Chapter 1426 Mechanical Code

Was introduced by Councilmember Brockwell, read a first and second time by its' title and referred to the Committee on Public Service

RESOLUTION #313

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Brockwell

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday June 15, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part Fourteen, Title Two, Chapter 1420 Building Code, Chapter 1422 Plumbing Code, and Chapter 1426 Mechanical Code of the Code of Ordinances of the City of Lansing for the purpose of updating Building Standards

Interested persons are invited to attend this public hearing

Carried unanimously

INTRODUCTION OF ORDINANCE AMENDING CHAPTER 812, SECTION 812.01

CHANGING THE BOUNDARIES OF THE DOWNTOWN MALL
AND ENVIRONS

By Councilmember Brockwell

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 812, Section 812.01, Downtown Mall and Environs Ordinance

Was introduced by Councilmember Brockwell, read a first and

second time by its title and referred to the Committee on Public Service

RESOLUTION #314

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Brockwell

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday June 22, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Chapter 812, Section 812.01, Downtown Mall and Environs of the Code of Ordinances of the City of Lansing for the purpose of decreasing the size of the assessment areas by eliminating area 3.

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER CANADY:

That we move to passage of ordinances.

BY COUNCILMEMBER CANADY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-03-92—620 South Capitol Avenue be rezoned from "J" Parking District and "D-1" Professional Office District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-03-92—620 South Capitol Avenue be rezoned from "J" Parking District and "D-1" Professional Office District to "D-1" Professional Office District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford Schmidt

NAYS: None

ABSENT: None

ORDINANCE #02341

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY

SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-3-92, 620 South Capitol Avenue

Parcel Number: 3301-16-383-003 and 3301-16-383-032

Legal Description: Lots 4, 5, 6, 7 and 8, Block 159, Original Plat, City of Lansing, Ingham County, Michigan

From D-1 Professional Office District and J Parking District to D-1 Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

JAMES D. BLAIR, CITY CLERK

CITY OF LANSING

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Canady a letter from Bruce Daniels of 5929 Valencia regarding a problem in his neighborhood

REFERRED TO THE MAYOR

2/ From Councilmember Brockwell introduction of an amendment to Chapter 812, Section 812.01 of the Code of Ordinances of the City of Lansing regarding the Downtown Mall assessment area, and setting a public hearing for June 22, 1992

HANDLED AS RESOLUTION # 314

3/ From Councilmember Benavides a resolution of tribute to Marvin Ray

HANDLED AS RESOLUTION #311

4/ From Councilmember Benavides a letter and donation for annual passes to the zoo for low-income families from Dr. L.J. Minor, of 3018 Westchester Rd.

RECEIVED AND PLACED ON FILE/ DONATION SENT TO POTTER PARK ZOO

MAYOR'S REMARKS

Mayor McKane announced that the Public Service Committee will hold sessions on the wastewater treatment rates on Tuesday, June 9, 1992 and Wednesday June 10, 1992 in an attempt to explain how the rate structure works. Staff will be available to explain rates and answer questions.

COUNCILMEMBER'S REMARKS

Councilmember Brockwell said that he attended the open house to celebrate the opening of the new recycling transfer facility. Last weekend he judged a cake contest at Maplewood School, and did volunteer work on the Michigan Run. He said the Michigan Run is becoming a very impressive event for the city.

Councilmember Ford thanked Mayor McKane for the quick response to a complaint last week on the maintenance of Hull Court Park. He commended the District Police Office that will open

at the Cristo Rey Center saying it is an excellent idea, and should reduce crime by making Police more visible in the area.

Councilmember Schmidt thanked Boy Scout Troop #137 from Cavalry Church. The Troop, at her request, mowed a vacant lot on Pennsylvania Avenue. She said the Forrest View Picnic was very successful and they will have another picnic next year. She thanked the Board of Water and Light for making sure the Forrest View Park had access to electrical power and the Parks and Recreation Department for making sure the park grass was mowed.

Councilmember Benavides announced that this Wednesday, Chief of Police Jerome Boles, and he will be opening the first Lansing Police Department District Office at the Cristo Rey Community Center. This is a pilot program for the City, and they expect additional district offices to be opened in the future.

CITIZENS REMARKS

Dr. Earl T. Pauley Jr. of 601 N. Cedar thanked Councilmember Canady and Mayor McKane for the work done on the Seven Block Development Area. He told Councilmember Beal that a woman in her ward is interested in starting a "Look" organization.

William Bernstein of 420 Baker St. spoke regarding his complaints against the Building Department, City Attorney's Office, and Judge Wood.

Lloyd Teets of 116 E. Elm St. spoke regarding the sessions that will be held by the Public Service Department to explain the wastewater treatment rate changes. He said that the money the City spends litigating political dissidents would be better spent on parks programs. He announced that next Monday at 5:45 there will be a protest rally outside of the Lansing Center. Anyone interested in protesting the renovation of the Lansing Center is invited to attend.

Douglas Fairbanks of 107 May St. asked who owns the building in the downtown mall across from the Parthenon restaurant.

Tom Shields of 1118 Riley protested the expense of opening a district police office at Cristo Rey Center. He said it could have been opened at Potter Park and would have provided police protection for the Zoo. Councilmember Benavides said they placed the precinct at Cristo Rey because it was rated an area of highest concentration of Police services. Police are constantly in this area now, because of the number of calls to the Police Department.

ADJOURNED 8:45 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

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Proceedings, June 15, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
June 15, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Benavides

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Canady

To accept the following under suspension of the rules:

1/ From Councilmember Canady, a resolution requesting the Greater Lansing Convention/Exhibition Authority to prepare a business plan showing the expected revenues and expenditures of the proposed expansion of the Lansing Center for a 5 year period beginning January 1994 and a justification for the continued operation and use vs. closing of the Civic Arena

2/ From Councilmember Schmidt, requests from residents of the City regarding the sale of "Dreamer", the horse

3/ From Councilmember Brockwell a Committee Report by the Committee on Ways and Means regarding the purchase of property in the North Lansing Commercial Historic District

4/ From Councilmember Brockwell, a resolution by the Committee on Ways and Means regarding the purchase of property in the North Lansing Commercial Historic District

5/ From Councilmember Beal, a letter from Sloane Heating and Air Conditioning regarding a Mechanical Permit

6/ From Councilmember Ford, on behalf of Councilmember Benavides, a resolution of tribute to Maria Hernandez

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In Consideration of the Second Amended Development Plan and Second Amended Tax Increment Financing Plan of the Tax Increment Finance Authority of the City of Lansing

Lloyd Teets of 116 E. Elm St. said he was present at a small protest rally in front of the Lansing Center tonight. He is opposed to the expansion because it is not financed in the proper manner. He would like to see it financed through a regional approach as C.A.T.A and Capitol City Airport are financed, not on the backs of the residents of the city.

Howard Jones of 426 W. Barnes said it was time for the City to get rid of TIFA districts and tax abatements. He asked that Council put this proposal on the back burner, and suggested other uses for the land behind the Center.

Betty Kost of 1425 McIntyre Court stated her opposition to the 25 million dollar renovation to the Lansing Center. She would rather see the Civic Center renovated at a fraction of the cost and the remainder spent on Community Policing programs. She read portions of the memorial speech given at the dedication of the Civic Center 37 years ago, and called the sale of the Civic Center a betrayal of veterans.

Loren Nichols of 6137 Marscott Drive spoke in support of the renovation saying that the original center was not built properly and we need to move forward to complete the building. He feels the project will create jobs. The expansion is necessary if the convention business in Lansing is to continue to grow.

Elizabeth Boyd, Vice Chairman of the Greater Lansing Convention/Exhibition Authority said the Center has had considerable success. She said that it enjoys a 70% occupancy rate and has housed 234 events in the past year. During peak seasons, she said, they are forced to turn people away because they do not have available space.

Douglas Fairbanks of 107 May St. spoke in support of the renovation saying there is not enough room for the conventions that are waiting to be held there.

Harold Leeman of 529 N. Francis asked Council to delay this decision three years until June of 1995. By that time they will know if the developer that is buying the Civic Arena has carried through with his promises, they will have the results of the Mayoral race, and will have a better picture of the financial stability of the Radisson. He asked to have the Board reviewed for a more equitable representation of board members as four (4) of the nine (9) live outside the city.

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

B. In Consideration of an amendment to Part Fourteen, as follows:

1. Chapter 1420, Building Code
2. Chapter 1422, Plumbing Code
3. Chapter 1426, Mechanical Code

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. To Consider that Property at 3025 Stabler be made-safe or demolished

Lloyd Teets of 116 E. Elm St. remarked on the large amount of Demolish or Make-safe public hearings for tonight's agenda. He is opposed to the demolition of all of these houses because of the

way they are handled. President Crawford warned Mr. Teets to stay on the specific subject of 3025 Stabler. Mr. Teets said these demolitions are done in an un-American way. President Crawford ruled Mr. Teets out-of-order and asked the Sergeant at Arms to remove him from Council Chambers. Councilmember Brockwell informed Mr. Teets that the owner of this property had already demolished the structure. All that remains is the hole where the foundation used to be with a fence around it.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. To Consider that Property at 925 W. Washtenaw be made-safe or demolished

Johnathan Watts, no address given, said that he owns this house plus the next two properties scheduled for public hearing. He asked for an extension of time to allow him to repair these houses and bring them up to code. He said that he purchased the material needed to make some of the repairs, however, it was stolen out of the house. He said that he applied for financing to renovate these houses, but it was denied. He thinks the City may have been involved in the denial. President Crawford asked Councilmember Brockwell when his committee would meet next. Councilmember Brockwell informed Mr. Watts that the next meeting of the Committee on Public Service would be held on Wednesday at 9:30 A.M. and asked Mr. Watts to attend. Councilmember Ford said that he received a call from Mr. Watts last week. He stated that Mr. Watts owns three of these properties and needs more than 20 days to deal with the repair of all three of them. Councilmember Brockwell said that these houses are in very bad shape. One of the properties has been in the demolition process since 1988. However, the Committee is willing to listen to Mr. Watts requests.

Joseph Hudson, no address given, said that he brought Mr. Watts to Lansing and encouraged him to invest in property on the West side of town. They have worked very hard to keep this area a clean, safe place to live, but this is a hard part of town. It will take at least a month to put these houses back together. They bought in this area because, back when they first began buying property, this was the only area they were allowed to buy in. He said he has invested all his savings in the Westside. He asked that Mr. Watts be granted additional time to repair these buildings. Councilmember Brockwell invited Mr. Hudson to attend the Public Services Committee meeting with Mr. Watts.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. To Consider that Property at 919 W. Washtenaw be made-safe or demolished

There were no other speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. To Consider that Property at 108-110 S. Martin Luther King, Jr. Blvd./Logan St. be made-safe or demolished

There were no other speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

G. To Consider that Property at 211 E. North St. be made-safe or demolished

Nathan Giles residing on N. Cedar St. asked for more time to repair

both this property and the property at 215 E. North. They are in the process of renovating them. Councilmember Brockwell said that he went through these properties and the property at 211 E. North looks nice, but the house at 215 has had no work at all done on it. He invited Mr. Giles to attend the Wednesday morning meeting of the Public Service Committee.

Mike Barton of 201 E. North St. said these two properties have been a problem for 30 years. They have been vacant since last July. The repair work that has been done is less than adequate and should not be considered safe. Councilmember Ford asked for the estimated cost of bringing 215 E. North St. up to code. Councilmember Brockwell answered that it is 1½ times greater than the estimated value of the property.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. To Consider that Property at 1110 W. Kalamazoo be made-safe or demolished

Lillian McFadden, no address given, said that work is already underway on this property, in fact, the electrical work has been completed. Other work will be completed by the end of July. She asked for special consideration because she has been seriously ill. Councilmember Brockwell said that there is an extensive list of mechanical and plumbing repair that needs to be done on this property. Ms. McFadden asked Councilmember Brockwell to check with the Building Department as this work has already been finished.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

I. To Consider that Property at 215 E. North St. be made-safe or demolished

See comments made during the public hearing on 211 E. North St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

J. To Consider that Property at 2404 S. Pennsylvania Ave. be made-safe or demolished

Herb Raymond, an Intern at Sixty Plus Law Clinic and Student of Cooley Law School, speaking on behalf of their client Mrs. Bryzinski, said that she is blind and unable to get around. Some work has already been done on this house and Mrs. Bryzinski has a contract with a builder to repair the house and turn it into a barber shop. However, the contractor will not be able to start on the work until late September. This is not a dangerous building. It needs repair, but does not need to be demolished. The renovation that Mrs. Bryzinski has contracted for will cost \$32,000. He asked that this matter be tabled for about 6 months. Councilmember Schmidt said this property has been like this for a very long time. She has received many complaints from the store next door to the property. She said they have been trying to work with this family for a very long time. Many attempts have been made to get this property cleaned up with no success.

Angie Roots of 2012 S. Pennsylvania said she works at the furniture store next door to this property. She agrees that this building is unsafe. Neither the owner, nor the owner's son will take care of the lawn maintenance. Her employer has been paying someone to go over there and maintain the lawn to try to make the place more respectable looking. She said that the owners of both Homestead Furniture and Root Electric support the demolition of this building.

Kathleen Wagoner from Mt. Hope Ave. United Methodist Church said she is here to help Mrs. Bryzinski understand what the demolition process is, and see that her property is cared for. She said the contractor has promised to have the work under way by the end of September and Mrs. Bryzinski is serious about correcting the situation.

Phil Rutt of 2012 S. Pennsylvania said this house has been in this condition for as long as he can remember. He has been chasing kids out of the house for fear that they will be injured inside it. He does not care if the house is demolished, or brought up to code. If it is being turned into a barber shop, where is the parking going to be. There is a lot of abandoned and rusty equipment laying around in the yard, and mice, rats, and squirrels living underneath the house. He is skeptical of the sudden offer to spend \$32,000 on a house that has been allowed to deteriorate to this state.

Bob Wagoner, no address given, said that one of the problems is a language barrier. Mrs. Bryzinski is an elderly Russian immigrant and cannot communicate well. He asked Council to look at the drawings to see what the plans for the house are like.

Jim Thelen of 2410 S. Pennsylvania said he feels for Mrs. Bryzinski, but this property is not worth very much. He would like to know the parking requirements for the proposed use, and if the owner has the funds to complete the work. Councilmember Brockwell said the estimated value of the property is \$2,300, and asked the interested parties to attend the Public Service Committee meeting at 9:30 on Wednesday morning.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

K. To Consider that property at 218 Smith Ave. be made-safe or demolished

Thomas Rasmussen of 501 S. Capitol, Attorney on behalf of the owner, said this property was damaged by fire on March 25, 1991. His client is involved in a dispute with the insurance company over the claim on his property. Mr. Rasmussen stated that the insurance claim is scheduled for mediation in July of this year, and requested a two (2) month delay in the demolition order to allow that process to be carried out.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

William Hubbell of 1128½ Cooper said he is in agreement with the resolution from the Committee of the Whole in support of the funding efforts of the Recyclers of Ingham, Eaton and Clinton Counties.

Harold Leeman of 529 N. Francis asked for some assurance that the developer who entered into the agreement for the purchase of the Civic Arena will not be allowed to delay the closing past the September 1993 deadline.

Cora Huguey, Executive Director of the Lansing Center said that her staff would need extra time to prepare the business plan and 5 year forecast requested. She said the cost of operation of the Lansing Center is about \$18.00 per square foot.

Paul Emory of 304 E. Grand River spoke regarding the Business and Art Development Association of North Lansing. They formed to help rehabilitate properties and get something good going in this

neighborhood. He is excited to see their plans going through.

Paul M. Scott of 412 W. Kilborn said there is the beginning of a very nice artistic community in the north end. The artists, working together with commercial business, should be able to create exciting developments in this area.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letters in opposition to the proposed Wastewater Treatment Rate ordinance amendment from:

- George V. Warren, Attorney, 831 Crown Boulevard, E. Lansing
- Vera Ramos of 219 Rumsey Avenue
- R. Christopher Bratschi, Attorney on behalf of Walter M. Jones, 215 Rumsey Ave.
- David C. Hollister, State Representative

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Letters in support of the proposed Wastewater Treatment Rate ordinance amendment from:

- Wohler Corporation, 708 E. Grand River
- Olofsson Corporation, 2727 Lyons Ave.
- Dale R. Martin, Motor Wheel Corporation, and Chairman of the Wastewater System Independent Study Committee
- B.O.C. Lansing Automotive, 920 Townsend

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. Letters from the Michigan Tax Tribunal on behalf of the following petitioners:

- Neal and Kara Schmitt of 2956 Dobie Road, Mason
- Rivers Edge Associates of 3601 Bayview Drive
- William P. Nakfoor, Frances Nakfoor, Violet Albertson, and Patricia Nakfoor

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

D. Request from the law offices of Frederick L. Stackable for removal of the NO PARKING sign on the east side of Grand Avenue at Ionia Street

REFERRED TO THE MAYOR

E. SLU-8-92 Request from Mount Hope Church of 202 S. Creyts Rd. for property located at 221 W. Saginaw and 618 Seymour to allow them to develop a downtown Church and Community Outreach Facilities

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Letter from Eastside Neighborhood Organization of 210 Ferguson in support of the demolition by Sparrow Hospital of three houses on Eighth Street

REFERRED TO THE MAYOR

G. Petition signed by 16 residents in the area of Riverview and William Street requesting adherence to and enforcement of the Curfew Code

REFERRED TO THE MAYOR

H. Letter from John McCabe, no address listed, complimenting the Michigan Run and commending the efforts of the organizers and volunteers

RECEIVED AND PLACED ON FILE

I. Letter from the Ingham County Board of Commissioners regarding the Proposed Ingham County Municipal Ordinance Billing Policy and the Community Corrections Advisory Board's Action Plan

REFERRED TO THE COMMITTEE OF THE WHOLE

J. Letter from Capital City Riverfest, Inc. of 125 W. Main requesting that they be granted non-profit status

REFERRED TO THE CITY ATTORNEY

K. Letters from Harold Leeman, Jr. of 529 N. Francis regarding:

-Removal of Kevin McKinney from the Greater Lansing Convention/Exhibition Authority Board

REFERRED TO THE COMMITTEE OF THE WHOLE

-Automobile lease for the Executive Director of the Greater Lansing Convention/Exhibition Authority

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

L. Letter from Lloyd Teets of 116 E. Elm St. regarding his trial for "Opposing and Hindering"

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane commented on his letters #3, #6, and #9 from tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #315

June 15, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

WASTE HAULER: Diversified Haul All

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 8, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the Greater Lansing Convention/Exhibition Authority in response to the requests of Harold Leeman, Jr.

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Reallocation of Unspent 1991 Michigan Equity Grant Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. Public Improvement IPS#45040 Sidewalk Improvements

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. Request for Staffing of City Parking Garages and Lots and Establishment of Special Parking Fee During Capital City Riverfest 92

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Lester Morgan v City of Lansing; Ingham County Circuit Court File No. 91-69406-AZ

RECEIVED AND PLACED ON FILE

5. Marvin Hector v City of Lansing, City Council and The Committee on General Services, Ingham County Circuit Court File No. 91-69323-AZ

RECEIVED AND PLACED ON FILE

6. RESOLUTION #316

TO: Council President James Crawford and City Councilmembers
FROM: Terry J. McKane, Mayor

DATE: June 8, 1992

SUBJ: Trash Violation Fee (V-25)—\$1,293.71

The attached list of trash violation/assessment fees for removal of trash and debris in the R.O.W. is submitted with my concurrence for your review and appropriate action.

By Councilmember Schmidt

To accept the recommendations of the Mayor

Carried unanimously

7. Release of Financial Security Deposit (\$11,000)—Lansing Distributing Industrial Replat

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. Letter of Appreciation from Michigan Polymer Reclaim, Inc.

RECEIVED AND PLACED ON FILE

9. Reappointment of Ralph E. Riddle to Lansing Traffic Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

RESOLUTION #317

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was

referred the Mayor's request for authorization to purchase property in the North Lansing Historic Commercial District with Community Development Block Grant funds,

REPORTS AS FOLLOWS: The Committee received a briefing on this matter from the Director of Planning and Municipal Development. The North Lansing Community Association has submitted a letter of support for the proposed actions, which are designed to spur redevelopment in the North Lansing Commercial District. The Committee concurs with the Mayor's recommendation and forwards this matter to the Committee on Ways and Means. This report is for information only and no Council action is required.

Signed: Mark Canady
James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #318

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Christopher A. Guida filed a claim against the City in the amount of \$7,350.62 for the medical costs incurred from a slip and fall accident on Saturday, February 15, 1992, while jogging east on the River Trail in the City of Lansing; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony in support of his claim; and

WHEREAS, the Committee found that the City is immune from liability for this incident; and

WHEREAS, the Committee has recommended that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Christopher A Guida; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

June 15, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #319

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Michael Bryanton to the Human Relations Board for a term to expire June, 1996, is hereby

confirmed.

June 15, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #320

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Edward Kerr to the Waterfront Development Board for a term to expire June, 1996, is hereby confirmed.

June 15, 1992

By Councilmember Canady

That the Mayor's reappointment of Edward Kerr to the Waterfront Development Board for a term to expire June, 1996, is hereby confirmed.

Carried unanimously

RESOLUTION #321

BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to reappoint Marcus Metoyer to the Mechanical Construction Examiners Board, term to expire June 30, 1996, is hereby approved.

June 15, 1992.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #322

BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to reappoint Grady J. Porter to the Downtown Mall Advisory Board, term to expire June 30, 1995, is hereby approved.

June 15, 1992.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #323

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Recyclers of Ingham, Eaton, and Clinton County are seeking to re-open the Logan Square drop-off site by conducting a fund-raising campaign with area businesses: and

WHEREAS, this site would collect seven (7) recyclable materials currently not collected by the City's curbside residential collection program including PET #1 and injection-molded (wide-mouth) HDPE #2 plastics, neither of which are accepted at any Lansing area drop off facilities: and

WHEREAS, in addition to collecting items not collected by the City's curbside program, this site would potentially serve the occupants of multi-family apartment complexes consisting of more than four (4) separate living units and other commercial structures who will not receive City recycling services in

accordance with the City of Lansing Clean Michigan Community Implementation Plan: and

WHEREAS, the education and information provided at a staffed drop-off site would supplement the Public Service Department's public information efforts, particularly with regard to residents of multi-family apartment buildings: and

WHEREAS, this conveniently located site would assist the City of Lansing, and Ingham County, in achieving their solid-waste diversion goals: and

WHEREAS, the City of Lansing will support the re-opening of this site by continuing to lease City equipment, purchased at a cost of \$120,387, to the Recyclers at a fee of \$1 per year.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby supports the efforts of the Recyclers to solicit private contributions to fund the operation of a recycling drop-off site at Logan Square, in addition to the processing of the materials collected: and

BE IT FURTHER RESOLVED that the proposed facility is regarded as a supplement to the City's curbside recycling program and, therefore, no exemptions from residential collection fees shall be granted to City residents based upon utilization of this site: and

BE IT FINALLY RESOLVED that in the event of the re-opening of this facility by the Recyclers a sign shall be posted identifying the site and crediting the City of Lansing for the provision of equipment and site improvements previously funded by the City through the Environmental Bond Fund.

June 15, 1992.

By Councilmember Belen

Carried unanimously

RESOLUTION #324

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on June 19th and 20th Lansing Community College will host the John "Spider" Salley "X-Factor" Basketball Camp for boys and girls aged 8 to 18; and

WHEREAS, John Salley is one of the stars of the Detroit Pistons who helped bring back-to-back world championships to the Motor City team in 1989 and 1990: and

WHEREAS, John was Detroit's first-round draft pick in 1986, after having a sensational career at Georgia Tech, where he scored 1,587 points, blocked 243 shots, and set a school record during his junior year with a field goal percentage of .627; and

WHEREAS, the young basketball players of our community are fortunate to have the opportunity for instruction by John Salley in the fundamentals of shooting during this camp;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby welcomes JOHN "SPIDER" SALLEY to the Capital City and wishes him success in his basketball camp.

By Councilmember Ford

Carried unanimously

RESOLUTION #325

BY: COUNCILMEMBER MARK CANADY

WHEREAS, the Tax Increment Finance Authority of the City of Lansing and the Mayor of the City of Lansing have submitted a "Second Amended Development Plan" and a "Second Amended Tax Increment Financing Plan for Phase II—Lansing Convention-/Exhibition Center and Associated Facilities Project", herein call (the "Plans") for the expansion of the Lansing Center; and,

WHEREAS, the nationally recognized firm of H.O.K. (Hellmuth, Obata and Kassabaum) has recommended that Phase II of the expansion project extend the currently inadequate prefunction areas, provide additional meeting room space, construct a kitchen and a ballroom; and

WHEREAS, the Greater Lansing Convention/Exhibition Authority and the Greater Lansing Convention/Visitor's Bureau have both endorsed these recommendations; and

WHEREAS, it is of vital concern to many groups the financial impact that such an expansion shall provide to the community; and

NOW, THEREFORE, BE IT RESOLVED, that the Greater Lansing Convention/Exhibition Authority is requested to prepare a business plan showing the expected revenues and expenditures of the proposed expansion for a period of five years commencing January 1, 1994, and included in this business plan should be an overview of the anticipated market penetration, how it will be implemented and achieved; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the prepared business plan should include, but is not limited to the following information: statement of purpose; organizational structure; anticipated personnel costs; market plan and a timetable for the implementation of such a plan; and a cash flow/balance sheet analysis including a break-even point where no further City subsidy would be required; and

NOW, THEREFORE, BE IT STILL FURTHER RESOLVED, that as the Greater Lansing Convention/Exhibition Authority also has the responsibility for the leasing and management of the Lansing Civic Arena, and since this same Authority has recommended an expeditious closing to the Civic Arena because of projected over-budget expenses, and since the H.O.K. consultants recommendations include continued use of the existing exhibit hall and meeting room space currently available at the Civic Arena for as long a period as feasible, the requested business plan should include an attached recommendation and justification for the continued operation and use vs. closing of the Civic Arena.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that since timeliness is most critical for the issuance of bonds and construction bid awards, a completed business plan as outlined above should be presented to the Mayor no later than June 29, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #326

THE COMMITTEE ON WAYS AND MEANS, to whom was referred

the financial considerations associated with the request to purchase property in the N. Lansing Historical District,

REPORTS AS FOLLOWS: The FIS indicates that these properties will be purchased with CDBG Funds at a cost of approximately \$80,000. Environmental assessment costs will be an additional \$5,000. No estimates were provided regarding the cost of developing the proposed parking lot. The Committee recommends that the acquisition of these properties be approved.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BROCKWELL: That the report of the Committee be received.

CARRIED UNANIMOUSLY

June 15, 1992.

RESOLUTION #327
COMMITTEE OF PHYSICAL DEVELOPMENT
AND THE COMMITTEE ON WAYS AND MEANS

WHEREAS, the Lansing City Council has adopted the River Island Master Plan which set forth policies and procedures to revitalize the North Lansing Commercial District; and

WHEREAS, the City's policy gives priority to the restoration and preservation of neighborhoods and historic buildings; and

WHEREAS, the residents and property owners of the North Lansing Commercial District have requested the City's assistance to provide more adequate parking and begin the restoration of historic district properties in North Lansing; and

WHEREAS, the Mayor has recommended that this request be granted; and

WHEREAS, the City Charter in Chapter 208 of the Codified Ordinances of the City of Lansing requires City Council approval of the acquisition and disposition of real property,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the City Administration is authorized to take the following actions:

Acquire vacant property located at 1111 South Factory Street, more particularly described as:

the South 60' of the North 160' of Lot 1, Block 12, City of Lansing, Ingham County, Michigan and

220 East Grand River Avenue, more particularly described as:

the West 22' of the East 82' of the North 90' of Lot 1, Block 12, City of Lansing, Ingham County, Michigan;

222 East Grand River Avenue, more particularly described as:

the West 20' of the East 60' of the North 90' of Lot 1, Block 12, City of Lansing, Ingham County, Michigan;

224 East Grand River Avenue, more particularly described as:

the West 20' of the East 40' of the North 90' of Lot 1, Block 12, City of

Lansing, Ingham County, Michigan;

for the purposes of expanding the public parking area in the North Lansing Historic Commercial District; and

BE IT FURTHER RESOLVED by the City Council of the City of Lansing that the City Administration is authorized to acquire the following properties and sell the property for a nominal fee to the Business and Art Development Association of Historic North Lansing, a nonprofit corporation, for the purposes of the restoration of the North Lansing Commercial District:

Lots 6 and 7, Mosley Howard et al Subdivision of Block 11, in the City of Lansing, Ingham County, Michigan; and

BE IT FINALLY RESOLVED that all costs associated with this project shall be charged to the Community Development Block Grant Program.

By Councilmember Brockwell

To amend the resolution by adding the statement "after receiving an acceptable environmental assessment regarding the subject properties" directly following the word "that" in the sixth and sixteenth paragraph and place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #328
BY THE COUNCILMEMBER TONY BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Teresa and Jose Hernandez were born in Mexico and later moved to San Antonio, Texas, and were the parents of one daughter, Juanita, and six sons, Cayetano, Manuel, Ricardo, Pedro, Lolo, and Max; and

WHEREAS, starting in 1928 three of their sons, Cayetano, Ricardo, and Manuel left family and friends to work in Michigan as migrant farm workers, initially being hired by the Michigan Sugar Company to harvest sugar beets; and

WHEREAS, Cayetano and Ricardo eventually became residents of Michigan and, in 1949, Ricardo was permanently reunited with his wife Nonie, to whom he was married for over 50 years, and their four daughters, Victoria, Maria Luisa, Benita, Yolanda, and one son, Jose; and

WHEREAS, Ricardo introduced his family to Michigan's Capitol City while working in Lansing as a construction laborer in 1950-1954; and

WHEREAS, in 1981 Maria Luisa, the daughter of Ricardo and Nonie and proud mother of five and grandmother of nine, moved to Lansing where she now serves as the Executive Director of the State of Michigan Commission for Spanish Speaking Affairs; and

WHEREAS, on June 19-21, 1992, Maria Luisa and the descendants of Teresa and Jose Hernandez will, from locations throughout the United States, once again gather in San Antonio, Texas, to celebrate the legacy of hard work, determination, and commitment to family left them by their forefathers.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City

Council, sitting in regular session this 15th day of June, 1992, hereby acknowledge and pay tribute to the accomplishments of Maria Luisa, her parents, grandparents, and the entire Hernandez family.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Canady, a resolution requesting the Greater Lansing Convention/Exhibition Authority to prepare a business plan showing the expected revenues and expenditures of the proposed expansion of the Lansing Center for a 5 year period beginning January 1994 and a justification for the continued operation and use vs. closing of the Civic Arena

HANDLED AS RESOLUTION #325

2/ From Councilmember Schmidt, requests from residents of the City regarding the sale of "Dreamer", the horse

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

3/ From Councilmember Brockwell, a Committee Report by the Committee on Ways and Means regarding the purchase of property in the North Lansing Commercial Historic District

HANDLED AS RESOLUTION #326

4/ From Councilmember Brockwell, a resolution by the Committee on Ways and Means regarding the purchase of property in the North Lansing Commercial Historic District

HANDLED AS RESOLUTION #327

5/ From Councilmember Beal, a letter from Sloane Heating and Air Conditioning regarding a "Mechanical Permit"

REFERRED TO THE MAYOR'S OFFICE

6/ From Councilmember Ford, on behalf of Councilmember Benavides, a resolution of tribute to Maria Hernandez

HANDLED AS RESOLUTION #328

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Councilmember Benavides from tonight's proceedings

Carried unanimously

MAYOR'S REMARKS

Mayor McKane announced a Grass Cycling demonstration on June 20th from 9:30 to 1:30. This is the first Clean Michigan Community educational event. The letters regarding Parks Police Officer Vicki Vaughan's attempts to purchase the horse "Dreamer" contain misinformation. The City is not trying to keep Vicki from purchasing Dreamer. The other party interested in purchasing Dreamer is his previous owner. This person also used to be the Purchasing Director for the City and is insisting that the City adhere

to the purchasing code.

COUNCILMEMBER REMARKS

Councilmember Beal said that we cannot stay with the status quo at the Lansing Center. She said she cannot support renovation of the Center without first being assured that there is commitment on the part of hotel developers. She said without hotel development the City cannot support convention trade. She is disturbed that residents do not feel as if they have access to the Lansing Center as they did to the Civic Center. She asked for a commitment from the Mayor, Council, and the Lansing Center that the Lansing Community will have access to the facility. Service Clubs could use it for meeting space, teen dances could be held etc. She noted that all of the letters in support of the wastewater treatment rate ordinance amendment are from industry and big business. She cannot justify the inequities that she sees in the proposed rate structure. She said if the City passes this ordinance, the City will be asking for a Class Action suit to be filed against them because the ordinance favors industrial and commercial customers over home owners. She feels the costs should be handled by a commodities charge.

Councilmember Brockwell commented on Public Act 481, which allows for the establishment of TIFA districts. He said that already 76 million dollars of private money has come into this district. If the TIFA were not there would the business be there or the jobs?

Councilmember Ford said that the decision to build the Lansing Center was made before a number of Councilmembers were elected. He believes that improvements do need to be made. They do need to add more rooms. He agreed with Councilmember Beal that it would be better to have a commodities charge for sewer rates. He asked for a modification to the rate structure. He announced that there will be a reception for John Salley on June 19th at 8:00 P.M. at the Michigan Athletic Club. Admission is \$8.00.

Councilmember Schmidt reminded her colleagues that industry is the catalyst for providing jobs in the community. She asked Councilmembers if they would be willing to take the chance that a job may not be provided in the future for a son, or a granddaughter. For a long time they have known they needed improvements to the system. She said that the "Radio Talking Book" will be getting support from the Lions and Lionesses of Lansing. They are sponsoring a barbecue this Friday and Saturday at the Frandor Kroger store, please stop by and buy a sandwich. All proceeds will go to "Radio Talking Book".

Councilmember Belen stated that according to Public Service Director Howard McCaffrey we are getting EPA money to help support the wastewater system. The agency says that rates must be fair and equitable and for years commercial and industrial users have paid more than their share through inequitable rate structures. We must comply with the fairness requirement. The survey done by Black and Veatch showed that these changes need to be made. What is the point of the City undertaking and paying for the study if we do not follow their advice.

CITIZEN'S COMMENT

William Bernstein of 420 Baker St. spoke regarding his "unfair trial" for disturbing a public assembly.

Dr. Earl T. Pauley, Jr. spoke regarding the make-safe or demolish order for Mrs. McFadden's property at 1110 W. Kalamazoo. He

asked Mayor McKane to run for Governor. He said the River trail needs the mounted horse patrol.

Harold Leeman of 529 N. Francis spoke regarding the 75 million dollar buildings in the TIFA district. This began as private building, but then was turned over to the State of Michigan. This is not putting money into the tax rolls. What happens if the State buys these buildings.

Douglas Fairbanks of 107 May St. complimented Mayor McKane on the big band concerts being held on Washington Square.

Walter Jones of 215 Rumsey Avenue said the sewer rates are very simple. It costs just as much to process a cubic foot of water no matter where it comes from. The costs should be put on a commodities charge, in this way you pay for what you use.

Dale Bryznski representing Michigan Business Labor on S. Pennsylvania stated their support of the expansion of the Lansing Center. It will provide many jobs in the area.

Paul Scott of 412 W. Kilborn said they will have a cleanup and flower planting to kick off the North Lansing Festival this Saturday. He said it is not easy for Council to vote for a demolish or make-safe order on a property. Sometimes there is no other choice but to take these houses down.

ADJOURNED

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

205

Proceedings, June 22, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
June 22, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Brockwell, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Ford, a resolution of tribute to Mary Pool, and a request that he be allowed to present it to Mrs. Pool under Special Ceremonies

2/ From Councilmember Ford, a letter from Don and Virginia DeCair of 1602 W. Rundle regarding the proposed Cat Ordinance

3/ From Councilmember Belen, a resolution transferring an Industrial Facilities Exemption Certificate (CRD-7-84) from Dr. Phillip Baldino to Dr. Michael Dionise at 606-616 S. Grand Ave.

4/ From Councilmember Brockwell, a request that Michigan Retailers Association be allowed to make a presentation under the Special Ceremonies portion of the agenda.

5/ From Councilmember Schmidt, a letter from Whitey Loveall regarding special assessments for her Son's property at 6500 S. Aurelius Road

6/ From Councilmember Schmidt a request from the Olds Museum for non-profit status

7/ From Councilmember Benavides a petition signed by 45 residents of the Colonial Village neighborhood requesting that a Stop sign be installed at the intersection of Holly Way and Chatham

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider Z-2-92, Northwest corner of Waverly Road and Glenburne Blvd. request from John Boles for rezoning from "A" Residential District to "D-1" Professional Office District to allow for professional office development

Lawrence Redd of 3921 Windward Drive, a member of the Southwest Lansing/Eaton County Association, said they are opposed to this request. He asked to be contacted when this matter is taken up in Committee. Councilmember Canady said the

Committee on Physical Development will meet on this request this Thursday at 3:00 P.M. He asked Mr. Redd to leave his name, address, and phone number so that the staff can contact him.

Lloyd Teets of 116 E. Elm stated his opposition to this request because there is so little undeveloped land left in the city that is zoned for "A-Residential" development. He said that changing this zoning would create an erosion of professional offices into this residential district. City Council should be encouraging the building of single family housing in Lansing. They cannot do that if there are no lots to build on.

Candace Melvin of 3922 Limrick said that her property borders on this property. Speaking on behalf of the residents in this subdivision she stated their opposition to this request. This would cause additional traffic in an already congested area. This property is located at the only entrance into the subdivision. This is not a commercial or professional area, it is a residential area. There is a car wash across the street from this property that has already caused problems because teenagers hang out at it.

John Boles of 5923 Bradford, petitioner, said these 7 lots comprise 1½ acres consisting of 3 hundred feet facing Waverly Road. Zoning to the West and to the North is residential. There has been no interest in residential development because no one wants to build across the street from the car wash. He proposes to build a office complex compatible with the residential flavor of the neighborhood.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. In consideration of an Ordinance Amending Chapter 812, Section 812.01 for the purpose of changing the boundaries of the Downtown Mall and Environs and decreasing the size of the assessment areas by eliminating area 3

Lloyd Teets of 116 East Elm said that he is opposed to T.I.F.A. districts in general, however this is one of the most suitable T.I.F.A. districts that exist.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Thomas Rasmussen of 501 S. Capitol spoke on behalf of his client, property owner of 218 Smith Street. This property burned down approximately one year ago. He asked that the order for make-safe or demolish be deferred for one month, or that Council change the order to make-safe or demolish within 90 days of June 22, 1992. His client was awarded a settlement last week in his suit against the Insurance Company, however he does not have the money in his hand yet. It should only take a month to bring this building up to code once he has actually received the money from the settlement.

Harold Leeman of 529 N. Francis asked the age of the City

employee referred to in Item X.C. City Attorney Knot responded that this person is in their mid-thirties. He asked if the appointments of Eva Evans and Phillip Hassler to the Board of Water and Light were ward appointments, or at large. He said that last week the Board extended the Contract of Mr. Pandy to the year 2007 and requested that the Media give this some attention. He asked if Council reviewed the contract for the Director of the Convention/Exhibition Authority Board, and disagreed with the statement that neither City Administration, nor City Council had any control over the Authority.

Don Hines, spokesperson for the Industrial Council, responded to inquiries about who the Council is. He said they are a loosely knit group of industrial organizations in the Lansing area who are also members of the Chamber of Commerce. They have been active for 10 years now. Their membership is made up of such companies as Federal Forge, Motor Wheel, BOC, Wohler Corp., etc. They are very disappointed in the Committee of the Whole's decision to reject the rate structure endorsed by the Public Service Department. Last year in the first part of a three phase process City Council adopted phase one. Phase two was to be adopted this year and phase three next year. He asked that Council continue to enforce the Wastewater Independent Study Committee Report. If the Public Service Department is encouraged to abide by the suggestions of the Study, they can eventually achieve parity.

Lloyd Teets of 116 E. Elm St. said he disagrees with the compromise Council developed for the Wastewater Treatment Rates too, but he is on the opposite side as Mr. Hines. He believes the only fair way to handle the rate structure is with a commodities charge that lets each person pay for the amount they use.

SPECIAL CEREMONIES

A. Larry Meijer of 2923 Kirkwood, Vice Chairman and CEO of the Michigan Retailers Association complimented the City on response to and assistance with their recent show at the Lansing Center. He said they had excellent cooperation from the Mayor's Office, the City Clerk's Office, and the Convention Exhibition Authority. They received a great many compliments on the service provided by the Lansing Center. He presented the City with a commemorative plaque depicting the logo used for this year's convention.

B. Councilmember Ford presented a resolution of tribute to Mary Pool, who will celebrate her 90th birthday this Saturday. Mrs. Pool enrolled in adult education at the age of 87 years to complete her high school education. He wished her good luck in her efforts.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter from Lynn Martinez, Ingham County Commissioner from the 20th District, opposing the proposed ordinance for Wastewater Treatment Rates

RECEIVED AND PLACED ON FILE

B. Letters signed by 220 residents requesting that Officer Vicki Vaughan be allowed to purchase "Dreamer", the horse

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. Letters from Attorney's to the Michigan Tax Tribunal on behalf of the following petitioners:

- Washington Square Office Partners
- Michigan National Bank
- Cranbrook Manor Apartments
- Metro Bowl, Inc.

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

D. Notice from the Department of Natural Resources of Noncompliance by the City of Lansing with its National Pollutant Discharge Elimination System (NPDES) Permit

REFERRED TO THE MAYOR

E. Notice of a hearing before the Michigan Public Service Commission on July 1, 1992 for customers of Consumers Power Company Case No. U-9977-R

RECEIVED AND PLACED ON FILE

F. Letter from the Board of Water and Light regarding changes in rate structures and other charges, Public Hearing Scheduled for August 4, 1992

RECEIVED AND PLACED ON FILE

G. Letter from Continental Cablevision regarding a temporary interruption in service on June 16, 1992 at 5:00 A.M.

RECEIVED AND PLACED ON FILE

H. Summer Tax Certification and Tax Rate Request from Holt Public Schools

REFERRED TO THE MAYOR

I. Letter from Oxford Management Company, Inc. on behalf of Briarcliffe Apartments & Townhouses requesting deferral of payments over a three year period for Special Assessments, Roll #323, for storm drains, curbs and gutters,

REFERRED TO THE MAYOR

J. Letter from Ted Levy, President of Shinberg Insurance requesting that the City develop a small park on the empty lot at the northeast corner of Washtenaw and S. Washington

REFERRED TO THE MAYOR AND THE PLANNING BOARD

K. Notice from the Michigan Department of Natural Resources of Application for a Permit by the City of Lansing Parks & Recreation Department for construction in the 100 year floodplain of the Grand River

REFERRED TO THE MAYOR

EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd reviewed Mayor McKane's letters #4-9 regarding appointments and reappointments to City Boards

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #329

June 22, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Azam Khan

BUILDING WRECKER: J.C. Linn Co.

ICE CREAM PEDDLER: Richard Linn, Terry A. Ruddick

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Benavides

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 15, 1992 for Review

RECEIVED AND PLACED ON FILE

C. RESOLUTION #330

June 19, 1992

COUNCIL PRESIDENT JAMES CRAWFORD and
MEMBERS OF CITY COUNCIL

RE: RECOMMENDATION FOR REDEMPTION OF WORKER'S
COMPENSATION CLAIM NO. 8VLNG90C0019

Dear Council President Crawford and Councilmembers:

Claimant is an employee who suffered a back injury on May 22, 1990 while in City employment. Consequently, the employee filed a claim with the Worker's Compensation Bureau seeking the payment of compensation benefits. During the pendency of this action, Claimant was evaluated by a variety of medical specialists.

As a result of the medical evaluations, and after engaging in settlement negotiations, the following proposal was tentatively agreed upon, conditioned upon City Council approval:

In exchange for the payment to Claimant of \$60,000.00, the Claimant will voluntarily quit and resign employment with the City. Any claims against the City for injuries sustained in the past, present and future of any nature whatsoever are forever waived. The Claimant will not receive any pension or retirement benefits and forfeits any rights in this regard.

It is the recommendation of this office, with concurrence of the Mayor, the Director of Personnel, Finance Department, Ways and Means Committee and outside legal counsel, that Council approve the above proposal and grant the City Attorney's office the authority to effectuate the same.

As always, should you have any questions or require further clarification, please feel free to contact me. Thank you.

Very truly yours,

Alvan P. Knot, City Attorney

By Councilmember Canady

To accept the recommendations of the City Attorney

Carried unanimously

D. Letters from the Mayor re:

1. RESOLUTION #331

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: June 18, 1992

SUBJ: Request for Public Hearing Regarding Demolition of 131 Island, 104 South M. L. King Blvd/Logan St., 706 Isbell St., 539 Paris Ave., 2908 Midwood St., 801 West Saginaw

The attached request for public hearing regarding the above-named properties is submitted with my concurrence for your review and appropriate action.

By Councilmember Canady

To accept the recommendations of the Mayor and set a Public Hearing for July 6, 1992

Carried unanimously

2. Information regarding Fairview Park

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3. Reappointment of Thomelia Roper to Senior Citizens Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. Reappointment of Wilard Walker to Board of Police Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. Reappointment of Dr. Eva Evans and Phillip E. Hassler to Board of Water and Light

REFERRED TO THE COMMITTEE OF THE WHOLE

6. Reappointment of John L. Pollard to Park Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

7. Appointment of Doris Witherspoon to Planning Board

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

8. Appointment of Ronald L. Thelen to Planning Board

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

9. Reappointment of Stephen Reck to Plumbing Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

10. Transfer of funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS**RESOLUTION #332**

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the

subject of Lansing Police Department's Departmental Vision, Mission and Goals,

REPORTS AS FOLLOWS: The Committee received a briefing on this matter from the Chief of Police. The Administrative staff of the police department has been involved in a strategic planning process for several months. The staff prepared a series of goals, missions, and visions that the entire department will work towards for the next several years. The Chief emphasized that the change in philosophy is needed to ensure the best policing for the City of Lansing in the 90's and beyond. The Board of Police Commissioners approved the statements. The Committee concurs with the Mayor's approval of the goals and objectives and agrees that they will be an important tool for the future.

Signed: Alfreda Schmidt
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #333

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the proposed ordinance to amend the Lansing Code of Ordinances, Part Fourteen, Title Two, Chapter 1420 Building Code, Chapter 1422—Plumbing Code, and Chapter 1426 Mechanical Code for the purpose of updating the Lansing Building Code by adopting the 1991 Uniform Building Code,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be passed.

Signed: Robert Brockwell
Ellen M. Beal
Tony Benavides

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #334

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the recommendation to purchase an upgraded phone system for use in the City Council Offices,

REPORTS AS FOLLOWS: The Administrative Services Division has recommended that the non-power-dependent phone system be removed from the Council Offices and replaced with a more reliable system. The City Hall electrical system is very old, and the frequent power surges and reductions have a significant detrimental impact on the reliability of the current system. The cost to replace this system is \$7,700. Funds are available in the Administrative Services Budget.

In accordance with standing Council Policy on the purchase of equipment not previously authorized, this matter requires Council approval. The Ways and Means Committee has reviewed this recommendation, and hereby recommends approval by the Council.

Signed: Tony Benavides

Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

June 22, 1992.

RESOLUTION #335

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the communication from Harold Leeman questioning the acquisition and use of the automobile by the Executive Director of the Exhibition Authority,

REPORTS AS FOLLOWS: The Committee has determined that the provision of this automobile is an employment contract obligation. The Committee believes that the other questions raised in the communication should most appropriately be answered by Exhibition Authority Board of Directors. The Committee takes this position in recognition of the arm-length relationship between the Exhibition Authority and the City. As a practical matter neither the City Council nor the City Administration can exercise authority over the operation of the Exhibition Authority.

The Committee has referred this item to the Exhibition Authority Board of Directors for a response, and has requested that a copy of the response be provided to the Ways and Means Committee.

This report is for information only and no further Council action is needed.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

June 22, 1992.

RESOLUTION #336

THE COMMITTEE OF THE WHOLE, to whom was referred the ordinance to amend Chapter 1042, Section 1042.04, for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System and eliminating the lawn sprinkling discount,

REPORTS AS FOLLOWS: The Committee reports a substitute version of the amendment and recommends that the ordinance be adopted.

Signed: James A. Crawford
Ellen M. Beal
Lucile E. Belen
Tony Benavides
Robert Brockwell
Mark Canady
Charles Ford
Alfreda Schmidt

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #337

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Josephine Tinsley to the Senior Citizens Advisory Board for a term to expire June, 1996, is hereby confirmed.

June 22, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #338

SIDEWALK RESOLUTION

BY COMMITTEE ON PHYSICAL DEVELOPMENT

Whereas, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity. Whereas, it is a matter of public necessity to construct sidewalk in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: Mason between Cedar and Donald excepting all public streets and alleys and other land deemed not benefitted.

AND that the construction of these improvements known as 1992 SIDEWALK REPAIR CONTRACT #1, P.S. #45040, is hereby ordered.

AND FURTHER, that owners of said described lands are hereby required to commence construction within twenty (20) days from the date of notification in accordance with Chapter 1024.04 of the Code of Ordinances; or the Director of Public Service is authorized and directed to proceed to construct said concrete sidewalk in accordance with Chapter 1024.05 of the Code of Ordinance. The expense of constructing the sidewalk shall be paid out of the Special Assessment Fund and FY93 Sidewalk Repair Budget.

That the City Assessor be, and is directed to make a special assessment installment rolls, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Canady

Carried unanimously

RESOLUTION #339

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Ralph E. Riddle to the Traffic Board for a term to expire June, 1996, is hereby confirmed.

June 22, 1992

By Councilmember Schmidt

Carried unanimously

Item XII D-1., from the Committee on Public Services, regarding the restoration of a Historical Structure located at 216 E. Hillsdale, was pulled from the agenda at the request of Councilmember Brockwell and referred back to the committee on Public Services

RESOLUTION #340A

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 218 Smith, legally described as:

3301 21 380 062

E 44 ft. of S 122 Ft. Lot 7, Block 16, Park Place

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on April 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 15, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution June 22, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #340B

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 215 E. North Street, legally described as:

3301 09 207 061

E 51 ft Lot 2 & Com NE cor Lot 2, Th N 8.25 ft, W 51 ft, S 8.25 ft, E 51 ft to beg; Block 1 Turner & Smith's Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on April 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 15, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution June 22, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #340C

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 211 East North Street, legally described as:

3301 09 207 051

Com at SE cor Lot 4, Block 1 Turner & Smith's Sub., Th W 2 R, S 10 R, E 2 4, N 1 R, E 15 ft, N 140.25 ft, W 15 ft, N 8.25 ft to beg; on Lot 2 Block 1 Turner & Smith's Sub & SEC 9 T4N R2W

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on April 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 15, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within Forty Five (45) days from the date of this resolution June 22, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #340D

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 108-110 S. MLK Blvd/Logan, legally described as:

3301 17 401 321
Lot 46, Assessor's Plat No 8

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on April 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on June 15, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within Forty Five (45) days from the date of this resolution June 22, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

Item XII E-1., from the Committee of Ways and Means, regarding the Early Retirement Incentive to District Court Exempt Employees, was pulled at the request of Councilmember Brockwell and returned to the Committee on Ways and Means

RESOLUTION #341

BY COMMITTEE ON WAYS AND MEANS

6/22/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

Fiscal Year 1992

\$5,000.00 from Est. Rev. A/C 101-000000-170001-00000
5,000.00 to Parks & Rec.-Bgt. Ctrl.

A/C 101-783860-992200-00000
(To secure contract for July 4th fireworks. To memo account 101-783810-741878 0.)

\$4,100.00 from Est. Rev. A/C 101-000000-170001-00000
4,100.00 to Parks & Rec.-Bgt. Ctrl.

A/C 101-783860-992200-00000
(Donation for youth programs at St. Joseph Park, Comstock Park, and Kendon School. To memo account 101-783833-707000-90001 (\$3,500) and 101 783833-741000-90001 (\$600).)

\$31,100.00 from Gen. Fund-Fund Bal.

A/C 101-000000-390001-00000
31,100.00 to Fire-Bgt. Ctrl. A/C 101-343501-992200-00000
(Various See reverse detail)

Submitted by:

Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Brockwell

Carried unanimously

Item XII E-3., from the Committee on Ways and Means, Transfer of Funds FY 1993, was pulled at the request of Councilmember Brockwell and returned to the Committee on Ways and Means

RESOLUTION #342

BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing received in 1991 a Michigan Equity Grant in the amount of \$349,153 to be used for various projects specified in the grant agreement between the State of Michigan and the City; and

WHEREAS, Project #6, Capitol Arboretum/Potter Park Trees, was completed under budget, resulting in unexpended funds in the total amount of \$298.00; and

WHEREAS, the City desires to reallocate \$298.00, the unexpended funds, in support of Project #3, Cooley Gardens/Scott House Improvements, to cover in part higher than expected costs associated with that project;

NOW, THEREFORE, BE IT RESOLVED that the Administration is hereby directed to request the State of Michigan that \$298.00 in unspent 1991 Michigan Equity Grant Funds, left over from a project completed under budget, be reallocated to support completion of Project #3, Cooley Gardens/Scott House Improvements.

June 22, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #343
RESOLVED BY THE WAYS AND MEANS COMMITTEE

WHEREAS, the required public improvements for the Lansing Distributors Industrial Plant have been completed; and

WHEREAS, release of the financial security held by the City has been recommended by the Mayor and Director of Finance/Controller;

NOW, THEREFORE, BE IT RESOLVED, that the \$11,000 financial security of Lansing Distributors be hereby released.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #344
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, when Kevin Jackson graduated from Lansing Eastern High School in 1982, many local prep wrestling fans predicted great things in his future; and

WHEREAS, Kevin has piled up several championships on his road to the U.S. Olympic Wrestling Team, including Junior National Champion, two-time State Champion, four-time Collegiate All American, Freestyle National Champion, Pan American Games Gold Medalist, and Olympic Freestyle World Champion; and

WHEREAS, Kevin has returned to the Don Johnson Fieldhouse, scene of many of his early victories, to conduct a Wrestling Technique Camp for the young people of our community;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 22nd day of June, 1992, hereby commends and congratulates KEVIN JACKSON upon his selection to represent the United States on the 1992 Olympic Wrestling Team; and

BE IT FURTHER RESOLVED all Councilmembers wish Kevin every success as he goes for the gold in Barcelona.

By Councilmember Ford

Carried unanimously

RESOLUTION #345
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on June 27, 1992, Mrs. Mary A. Pool will observe her 90th birthday during a family celebration; and

WHEREAS, a native of Louisiana, Mary Pool and her husband Johnnie were married for more than 50 years, raising two daughters before coming to Michigan in 1982; and

WHEREAS, Mary's full life has included a career as a beautician, active involvement in her church, and helping others as a foster grandparent; and

WHEREAS, pursuing a lifelong goal, Mary enrolled in the Lansing School District's Adult Education Program at the age of 87 to complete requirements for her high school diploma, but recent ill health has postponed her graduation day;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 22nd day of June, 1992, hereby extends heartiest 90th birthday wishes to MARY A. POOL, and encourages her to continue setting an outstanding example for the youth of our community by completing her high school requirements.

By Councilmember Ford

Carried unanimously

RESOLUTION #346
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council issued a Commercial Facilities Exemption Certificate (CRD-7-84) on November 5, 1984 to Dr. Philip Baldino for the construction of a new facility at 606-616 S. Grand Avenue, Lansing, Michigan; and

WHEREAS, Dr. Michael J. Dionise having purchased the property at 610 S. Grand in October, 1991, has applied for the transfer of the Commercial Facilities Exemption Certificate (CRD-7-84) for the remainder of the twelve year period the certificate was originally granted for; and

WHEREAS, a hearing was held April 27, 1992, on Dr. Michael J. Dionise's application for a Certificate transfer where all interested parties had an opportunity to be heard; and

WHEREAS, Dr. Michael J. Dionise has met the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies of the Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lansing approves the application for the transfer of the Commercial Facilities Exemption Certificate (CRD-7-84) to Dr. Michael J. Dionise at 610 S. Grand Avenue, Lansing, Michigan.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

President Crawford recessed Council for two minutes at 8:15. Council reconvened at 8:17

By Councilmember Brockwell

That we proceed to the passage of Ordinances.

By Councilmember Brockwell

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an

Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Part Fourteen, Title Two, Chapter 1420—Building Code, Chapter 1422—Plumbing Code, and Chapter 1426—Mechanical Code for the purpose of Updating the Lansing Building Code by Adopting the 1991 Uniform Building Code be placed on order of immediate passage

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Part Fourteen, Title Two, Chapter 1420—Building Code, Chapter 1422—Plumbing Code, and Chapter 1426—Mechanical Code for the purpose of Updating the Lansing Building Code by Adopting the 1991 Uniform Building Code be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #851

CODIFIED ORDINANCES OF LANSING PART FOURTEEN—BUILDING AND HOUSING CODE

TITLE TWO—Building Standards

Chap. 1420. Building Code.

Chap. 1422. Plumbing Code.

Chap. 1424. Electrical Code.

Chap. 1426. Mechanical Code.

CHAPTER 1420

Building Code

1420.01 Adoption of 1991 edition of Uniform Building Code; scope; references and citations; conflict of laws.

1420.02 Amendments to Uniform Building Code.

1420.99 Penalty.

CROSS REFERENCES

State Construction Code—see M.C.L.A. Secs. 125.1501 et seq.

Noise during construction—see GEN. OFF. 654.07(g)

Construction of cable television system facilities—see B.R. & T. 810.07, 810.13

Building materials in rights of way—see S.U. & P.S. 1020.05

Construction of culverts—see S.U. & P.S. 1028.01

Improvement of blighted areas—see P. & Z. 1216.06

Construction in the floodplain—see P. & Z. 1288.05

Construction of signs—see B. & H. 1442.11

Repair of substandard buildings and premises—see B & H. 1460.22, 1460.23

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 14, TITLE TWO OF THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1420 FOR THE PURPOSE OF UPDATING THE LANSING BUILDING CODE BY ADOPTING THE 1991 UNIFORM BUILDING CODE.

The City of Lansing ordains:

Section 1. That Part 14, Chapter 1420 of the Code of Ordinances of the City of Lansing, Michigan, be amended to be read as follows:

1420.01 ADOPTION OF 1991 EDITION OF UNIFORM BUILDING CODE; SCOPE; REFERENCES AND CITATIONS; CONFLICT

OF LAWS.

(a) That certain code, an official copy of which is on file in the office of the City Clerk, being marked and designated as the *Uniform Building Code* 1991 edition, including Appendix Chapters 12 (DIVISION 11 ONLY), 23 (DIVISION IV ONLY), 35, 49, 55, 57 and 61, published by the International Conference of Building Officials, is hereby adopted and made a part of the Building Code of the City pursuant to the authority vested in the City by M.C.L.A. 125.1508; M.S.A. 5.2949(8), and the Home Rule Act (M.C.L.A. 117.1 et seq.; M.S.A. 5.2071 et seq.), as amended. Such Building Code provides regulations for the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the City and for the issuance of permits. Each and all of the regulations, provisions, penalties, conditions and terms of such Code shall be deemed adopted and made a part hereof by reference as if fully set out in this chapter, save and except such provisions as may be hereinafter amended or repealed.

(b) References throughout these Codified Ordinances to the *Uniform Building Code* shall be deemed to mean the *Uniform Building Code* adopted in subsection (a) hereof and it may be so cited. References throughout these Codified Ordinances to the Building Code of the City shall be deemed to mean all of the provisions of Titles Two and Four of Part Fourteen of these Codified Ordinances, including the technical codes adopted therein by reference, and it may be so cited. References throughout these Codified Ordinances to the Building and Housing Code of the City shall be deemed to mean all of Part Fourteen of these Codified Ordinances, and it may be so cited.

(c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the *Uniform Building Code*, herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the *Uniform Building Code*, herein adopted, and State law, including rules and regulations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the *Uniform Building Code*, herein adopted, and a provision of any other standard technical code adopted by reference by the City, the stricter or higher standard shall control. (Ord. 803. Passed 7-31-89.)

1420.02 AMENDMENTS TO UNIFORM BUILDING CODE.

The *Uniform Building Code* adopted by Section 1420.01 is hereby amended as follows:

U.B.C. Section 103. Scope is hereby amended by adding the following new paragraph:

Where sections of this code specify materials and methods of construction inconsistent with *Provisions for Barrier Free Design* of the State of Michigan Construction Code, the State of Michigan Barrier Free Design Rules shall govern.

U.B.C. Section 201. Creation of Enforcement Agency is hereby deleted and a new section added as follows:

Division of Building Safety Created

There is hereby created a Building Safety Division which shall be under administrative and operational control of the Director of Building Safety. The Division shall consist of the Director and such other employees as may be necessary to carry out the work of the

Division. They shall perform such duties as shall be prescribed by the Director and shall devote their entire time to work of the City. Neither the Director nor any employee of the Division shall be engaged in any private business pertaining to the planning or erection of buildings.

U.B.C. Section 203. Unsafe Buildings or Structures is hereby deleted AMENDED BY ADDING THE FOLLOWING:

Unsafe Buildings and Structures

(a) *General.* No owner or agent thereof shall keep or maintain any unsafe or dangerous building which is constructed, utilized or designed for nonresidential uses. "Unsafe or dangerous building" means any building which has any of the defects or is in any of the conditions hereinafter described:

(1) Whenever any door, aisle, passageway, stairway or other means of exit does not conform to the Fire Prevention Code and the Building and Housing Code of the City;

(2) Whenever any portion has been damaged by wind, flood or any other cause, in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Building and Housing Code of the City for a new building or similar structure, purpose or location;

(3) Whenever any portion, member or appurtenance is likely to fall or become detached or dislodged, or to collapse, and thereby injure persons or damage property;

(4) Whenever any portion has settled to such an extent that walls or other structural portions have materially less resistance to winds than is required in a case of new construction by the Building and Housing Code of the City;

(5) Whenever the building or structure or any part thereof, because of dilapidation, deterioration, decay, faulty construction or the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for any other reason, is likely to partially or completely collapse, or whenever some portion of the foundation or underpinning is likely to fail or give way;

(6) Whenever, for any reason, the building or structure or any portion thereof is manifestly unsafe for the purpose for which it is used;

(7) Whenever the building or structure is damaged by fire, wind or flood or for any other reason becomes so dilapidated or deteriorated as to be an attractive nuisance to children or a place where vagrants can congregate;

(8) Whenever a building or structure, used or intended to be used for dwelling purposes, because of dilapidation, decay, damage, faulty construction or any other reason, is unsanitary or unfit for habitation or is later determined by a public health official to be a place which violates any public health code or that is likely to cause sickness or disease or that is likely to work injury to the health, safety or general welfare of those living within; or

(9) Whenever any building becomes vacant, dilapidated and open at a door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

(b) *Vacation.* If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or the occupants thereof, it shall be ordered to be vacated. A sign shall be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building or to remove or deface this notice.

Building Safety Division
Department of Planning and Municipal Development
City of Lansing
483-4355

No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until:

(1) The required repairs, demolition or removal has been completed;

(2) The Director of the Division of Building Safety has given written permission that the sign may be removed; and

(3) A certificate of occupancy, if applicable, has been issued pursuant to the *Uniform Building Code*.

Any person violating this subsection shall be guilty of a misdemeanor.

(c) *Recordation of Unsafe or Dangerous Condition.* When the Director of the Division of Building Safety or an authorized representative has determined that a building is unsafe or dangerous, he or she shall file in the office of the Register of Deeds a notice describing the property and certifying that the building is an unsafe or dangerous building and that the owner has been so notified.

Whenever the corrections ordered are thereafter completed or the building demolished so that it no longer exists as an unsafe or dangerous building on the property described in the notice, the Director or an authorized representative shall file a new notice with the Register of Deeds certifying that the building has been demolished or that all required corrections have been made so that the building is no longer unsafe or dangerous.

(d) *Notice.*

(1) When the whole or any part of any building or structure is found to be in a dangerous or unsafe condition the Director or an authorized representative shall issue a notice of the dangerous and unsafe condition

(2) Such notice shall be directed to the owner, agent or lessee registered with the Building Safety Division. If no owner, agent or lessee has been registered, then the notice shall be directed to each owner or party in interest in the building in whose name the property appears on the last local tax assessment records.

(3) The notice shall specify the time and place of a hearing on the condition of the building or structure, at which time and place the person to whom the notice is directed shall have the opportunity to show cause why the building or structure should not be ordered to be demolished or otherwise made safe.

(4) All notices shall be in writing and shall be served upon the person to whom they are directed personally, or, in lieu of personal service, may be mailed by certified mail, return receipt requested, addressed to such owner or party in interest at the address shown on the tax records, at least ten (10) days before the date of the hearing described in the notice. If personal service is not made, then in addition to mailing the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure.

(e) *Hearing and Costs.*

(1) The Mayor shall appoint two (2) or more Hearing Officers

who shall not be employees of the City, one of whom shall be a registered engineer OR ARCHITECT. There shall be a minimum of one (1) hearing per month unless there is no business to conduct.

(2) The Hearing Officer shall take testimony of the Director of the Division of Building Safety and/or an authorized representative, the owner of the property and any interested party. The Hearing Officer shall render a decision either closing the proceedings or ordering the building to be demolished or otherwise made safe.

(3) If it is determined by the Hearing Officer that the building or structure should be demolished or otherwise made safe, he or she shall so order, fixing a time in the order for the owner, agent or lessee to comply therewith.

(4) If the owner, agent or lessee fails to appear or fails to act within two (2) weeks from the date of the hearing, the Hearing Officer shall file a report of his or her findings and a copy of the order with Council and request that the necessary action be taken to demolish or otherwise make safe the building or structure. A copy of the findings and order of the Hearing Officer shall be served upon the owner, agent or lessee in the manner prescribed in subsection (d) hereof.

(5) Council shall fix a date for a public hearing to review the findings and order of the Hearing Officer and shall give notice to the owner, agent or lessee, in the same manner as prescribed in subsection (d) hereof, of the time and place of the hearing. At the hearing, the owner, agent or lessee shall be given an opportunity to show cause why the building should not be demolished or otherwise made safe and Council shall either approve, disapprove or modify the order to demolish or make safe the building or structure. If Council makes the determination that the building be demolished or made safe, the owner, agent or lessee shall have twenty (20) days within which to commence repairs or demolition. If, after twenty (20) days, Council's order has not been substantially complied with, Council may order the Director of the Division of Building Safety to proceed with the work specified in such order.

(6) Any cost incurred by the City in demolishing the building or structure or making it safe shall be a lien against the real property and shall be reported to the City Assessor, who shall assess the cost against the property on which the building is located.

(7) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If he or she fails to pay the same within thirty (30) days after mailing by the Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes.

(f) *Appeal to Circuit Court.* An owner aggrieved by any final decision or order of Council under subsection (e) hereof may appeal the decision or order to the Circuit Court by filing a petition for an order of superintending control within twenty (20) days from the date of the decision.

(g) *Emergency Alteration/Repairs.*

(1) Whenever the Director or an authorized representative determines that a condition exists that is immediately dangerous to human life, the Director or an authorized representative may order emergency repairs/alterations without notice as prescribed by this section. Such a condition shall be deemed to be immediately dangerous to human life to the extent that any delay in taking

corrective action will pose an immediate threat to life and safety.

(2) The Director or an authorized representative, as soon as, practical, shall notify the taxpayer of record, in writing, of the action taken to correct the unsafe condition. All costs for such work shall be the responsibility of the taxpayer of record and shall be placed on the tax roll if not paid within thirty days of such work.

U.B.C. Section 204. Board of Appeals is hereby deleted and a new section added as follows:

Board of Appeals

IN ORDER TO HEAR AND DECIDE APPEALS OF ORDERS, DECISIONS, OR DETERMINATIONS MADE BY THE BUILDING OFFICIAL RELATIVE TO THE APPLICATION AND INTERPRETATION OF THIS CODE OR TO DETERMINE SUITABILITY OF ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION; there shall be and is hereby established a Board of Appeals, consisting of five (5) members who are qualified by experience and training to pass upon matters pertaining to building construction. The Director of the Division of Building Safety, the Fire Marshal and the Chief Plan Analyst are ex-officio non-voting members and the Chief Plan REVIEW Analyst shall act as Secretary of the Board. Members of such Board shall be appointed by the Mayor with the advice and consent of Council and shall serve four-year terms commencing July 1 of each year. The Board shall consist of one member representing each of the following groups:

- (a) General contractors;
- (b) Residential contractors;
- (c) American Institute of Architects;
- (d) Professional engineers;
- (e) General public.

The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Director of the Division of Building Safety, with a duplicate copy to the appellant, and may recommend to Council such new legislation as is consistent therewith. The Board shall also hear all appeals from decisions, rules, regulations or interpretations of the Electrical Board, the Chief Electrical Inspector, the Mechanical Board, the Chief Mechanical Inspector, the Plumbing Board, the Chief Plumbing Inspector or any official or employee of the Building Safety Division.

U.B.C. Section 205. Violations is hereby amended by adding the following paragraph:

Any violation of this Building Code BY ANY PERSON TO WHOM the Director of the Division of Building Safety has given written notice THEREOF shall be corrected within fifteen days of receipt of such notice. Failure to comply with this section is a violation of this Building Code and shall subject the violator to all the penalties provided for by these Codified Ordinances.

U.B.C. Section 301.(b) Exempted Work. Item 1 is hereby amended by deleting

"120 square feet" and adding "144 square feet."

U.B.C. Section 301.(b) Exempted Work. Item 11 is hereby deleted and a new item 11 is hereby added as follows:

11. Minor work as determined by the Director of Building Safety.

U.B.C. Section 304. Fees is hereby deleted and a new section added as follows:

Insurance: Bonds and Licenses: Fees

(a) Insurance and Bonds. The following insurance require-

ments shall apply to any person, firm or corporation engaging in the business of building wrecker or building mover.

Every person, firm or corporation engaged in either of such businesses shall file with the City Clerk a public liability policy insuring such person, firm or corporation and the City against any liability imposed upon such person, firm or corporation and/or the City arising out of the performance of the work carried on by such person, firm or corporation. Such policy so filed shall provide for the payment to any person injured, or to another person because of the death of a person, of not less than one hundred thousand dollars (\$100,000), and for the payment of not less than three hundred thousand dollars (\$300,000) for injuries to or the death of more than one person, and for property damage in the amount of not less than one hundred thousand dollars (\$100,000).

In addition to the insurance policies hereinbefore specified to be filed with the City Clerk and to be approved as a prerequisite to the issuance of a license, any person, firm or corporation engaging in the businesses specified herein shall file with the City Clerk a bond in the penal sum of ten thousand dollars (\$10,000), indemnifying the City against any and all violations of any ordinance, rule or regulation of the City and for any and all damage to public property of any kind or nature, and conditioned on the licensee's paying to the City of all fines or penalties which may be assessed against such licensee for the breach of any ordinance relating to the work carried on by such person, firm or corporation.

(b) *License and Permit to Demolish Buildings.* No person, firm or corporation shall engage in the business of wrecking buildings or other structures without first obtaining a license therefor from the City authorizing the holder thereof to carry on or engage in such business.

(1) *Issuance of license.* The City Clerk is hereby authorized to issue a license to wreck buildings and other structures to any reputable person, firm or corporation, upon the payment of a license fee and the execution and delivery to the City Clerk of a public liability policy that complies with subsection (a) hereof. No license shall be issued until the applicant therefor demonstrates knowledge, experience and equipment to properly conduct wrecking operations to the satisfaction of the Building Safety Division.

(2) *Issuance of permit.* No permit shall be issued for the wrecking of any building or structure to anyone other than a person, firm or corporation licensed under this code, except that a permit may be issued for the wrecking of a minor building or structure to the owner of premises upon which such minor building or structure is located. The work or operation of wrecking, under a permit issued to an owner as above provided, shall be performed or executed by the owner, his or her employees or the members of his or her family, acting under the supervision and direction of the owner.

For the purpose of this section, a minor building shall be described as follows:

A. A one-story building not exceeding ten thousand (10,000) cubic feet in volume above the grade line; or

B. A two-story building constructed of frame or brick veneer containing not more than twenty-five thousand (25,000) cubic feet in volume above the grade line.

The Board of Appeals may grant variances from the above requirements where there are unusual practical difficulties or hardships, provided that such variation will not affect the general welfare, health or safety.

(3) *Wrecking.* Wrecking of buildings shall be conducted in such manner as not to create a nuisance to persons on public streets or on adjoining property. When necessary to prevent excessive dust, building material shall be wet down. Materials removed from any structure shall not be permitted to fall into streets, alleys or adjacent property or otherwise create a nuisance. Whenever a building is being wrecked in violation of these requirements, the Director of the Division of Building Safety shall order the work stopped until such conditions have been remedied.

(4) *Utility disconnects.* Before any wrecking operations are started, the proper utility companies shall be notified so that any gas, water or electrical service can be properly disconnected. Evidence of such notification shall be provided prior to issuance of a permit.

(c) *License and Permit to Move Buildings.* No person, firm or corporation shall engage in the business of moving buildings or other structures without first obtaining a license therefor from the City, authorizing the holder thereof to engage in such business.

(1) *Issuance of license.* The City Clerk is hereby authorized to issue a license to move buildings and other structures to any reputable person, firm or corporation upon the payment of a license fee and the execution and delivery to the City Clerk of a public liability policy that complies with the provisions of subsection (a) hereof. No license shall be issued until the applicant therefor demonstrates knowledge, experience and equipment to properly conduct the operation of moving buildings and structures to the satisfaction of the Building Safety Division.

(2) *Issuance of permit.* No permit shall be issued for the moving of any building or structure on the public streets of the City to any one other than a person, firm or corporation licensed under this Code.

(3) *Utility disconnects.* Before any moving operations are started, the proper utility companies shall be notified so that any gas, water or electric service can be properly disconnected. Evidence of such notification shall be provided prior to issuance of a permit.

(4) *Moving of buildings.* BUILDINGS OR STRUCTURES MOVED INTO, OR WITHIN THE CITY OF LANSING SHALL COMPLY WITH THE PROVISIONS OF THIS CODE AND SHALL NOT BE OCCUPIED UNTIL A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED BY THE DIRECTOR OF THE DIVISION OF BUILDING SAFETY. BUILDINGS IN SOUND STRUCTURAL CONDITION WHICH WERE ERRECTED PRIOR TO THE ENACTMENT OF THIS CODE NEED NOT MEET ALL REQUIREMENTS OF THE CODE WHEN, IN THE OPINION OF THE DIRECTOR OF THE DIVISION OF BUILDING SAFETY, BASIC LIFE AND SAFETY CONSIDERATIONS HAVE BEEN MET AND NO GREATER HAZARD TO OCCUPANTS EXISTS THAN EXISTED AT THE BUILDING'S PREVIOUS LOCATION.

No moving permit shall be issued until the necessary clearance has been made with the Department of Parks and Recreation, which has jurisdiction over any trees that might be involved or injured in the moving operation, and/or any utility company, board, firm, corporation or department owning or controlling any telegraph, telephone, electric light or power or fire or police alarm wires with which such building may come in contact or which may be affected by such moving.

(d) *Permit Fees.* The fee for each permit shall be as determined by CITY Council RESOLUTION.

U.B.C. Section 306.(1) General. This subsection is hereby deleted and a new subsection added as follows:

(a) *General.* In addition to the inspections required by Section 305, the Director of Building Safety may require the owner to employ a special inspector during construction on the following types of work: (Remainder of subsection is unchanged.)

U.B.C. Section 308.(a) Use and Occupancy. This subsection is hereby amended by deleting "Group R, Division 3" from the exception.

U.B.C. Section 403. This section is hereby amended by deleting the definition of BUILDING OFFICIAL and adding the following: Building Official is the Director of the Building Safety Division and OR a duly authorized representative.

U.B.C. Section 405. This section is hereby amended by adding the following definition
Director is the Director of the Building Safety Division.

U.B.C. Section 407. This section is hereby amended by deleting the definition of FAMILY and adding the following:
Family shall be defined as provided in Section 1240.03(56) of the Planning and Zoning Code.

U.B.C. Section 421. This section is hereby amended by adding the following definition:
Temporary Building or Structure is a building or structure used for not more than six months.

U.B.C. Section 705. (C) SANITATION is hereby amended by deleting the FIRST paragraph and adding the following paragraph in its place:

Every building shall be provided with sanitary facilities, as prescribed by the *Uniform Plumbing Code* AS AMENDED. Such toilet facilities shall be located either in such building or conveniently in a building adjacent thereto on the same property.

U.B.C. Section 1102. Construction, Height and Allowable Area is hereby amended by adding the following:

(c) *Private Garages.* Private garages which are constructed in conjunction with Group R occupancies shall comply with the following requirements:

(1) The floor of any attached garage shall be of concrete construction.

(2) The sill of any door which provides communication between a garage and a dwelling unit shall be a minimum of four (4) inches above the garage floor.

(3) One-story detached accessory buildings to private dwellings, when located in the rear yard and of Type V construction, may be supported on foundations not less than twelve (12) inches in depth and eight (8) inches in width. Accessory buildings not exceeding one hundred forty-four (144) square feet may be constructed without footings or foundations.

U.B.C. Section 1204. ACCESS AND EXIT FACILITIES AND EMERGENCY ESCAPES. This section is hereby amended by deleting "basements in dwelling units" from the first sentence of the THIRD paragraph

U.B.C. Section 1205. (B) Light This subsection is hereby amended by deleting the first sentence and adding the following:

All guest rooms and habitable rooms within a dwelling unit OR CONGREGATE RESIDENCE shall be provided with natural light by

means of exterior glazed openings with an area not less than eight (8) percent of the floor area of such rooms.

U.B.C. Section 1807.(a) Scope. This subsection is hereby deleted and replaced with the following:

(a) *Scope.* This section shall apply to all Group B, Division 2 office buildings and Group R, Division 1 occupancies, each having floors used for human occupancy located more than forty (40) feet above the lowest level of Fire Department vehicle access. Such buildings shall be provided with an approved automatic sprinkler system in accordance with subsection (c) hereof.

U.B.C. Section 2305.(d) Snow Loads. This subsection is hereby amended by adding the following sentence to the second paragraph:

Because the City is in a snow load area, the roof design load shall be not less than thirty (30) pounds per square foot, live load.

U.B.C. Section 2907.(a) General. This subsection is hereby amended by deleting the last sentence OF THE FIRST PARAGRAPH and adding the following:

Footings shall have a minimum depth below finished grade of forty-two (42) inches, except as otherwise provided for in this code.

U.B.C. SECTION 3304. (i) FLOOR LEVEL AT DOORS IS HEREBY AMENDED BY ADDING THE FOLLOWING EXCEPTION TO 1.:

D. EXTERIOR DOORS WHICH DO NOT SERVE AS A REQUIRED EXIT MAY HAVE A SINGLE STEP INSTEAD OF A LANDING PROVIDED THE THRESHOLD IS NOT MORE THAN ONE (1) FOOT FOUR (4) INCHES ABOVE THE ADJACENT LOWER SURFACE AND PROVIDED THE DOOR DOES NOT SWING TO THE EXTERIOR.

U.B.C. Section 3310. Smokeproof Enclosures is hereby amended by deleting "75 feet" from subsection (b) and adding "40 feet."

U.B.C. Section 3313. Exit Illumination is hereby amended by DELETING THE LAST SENTENCE OF THE FIRST PARAGRAPH OF SUBSECTION (B) SEPARATE SOURCE OF POWER AND ADDING THE FOLLOWING SENTENCE:

IN THE EVENT OF ITS FAILURE, ILLUMINATION SHALL BE AUTOMATICALLY PROVIDED FROM AN EMERGENCY SYSTEM FOR GROUP I DIVISION 1.1 AND 1.2 OCCUPANCIES AND FOR ALL OTHER OCCUPANCIES WHERE THE EXITING SYSTEM SERVES AN OCCUPANT LOAD OF 50 OR MORE.

U.B.C. Section 4503. Space Below Sidewalk is hereby deleted and a new section added as follows:

Space Below Sidewalk

No open areaway shall be constructed upon public property and all such areas adjacent to public property shall be securely guarded with substantial metal rails.

The space adjoining a building below a sidewalk on public property may be used when permitted by resolution of Council. All such spaces shall be surrounded by concrete retaining walls of ample strength to resist earth pressure and shall be covered with a fireproof floor having a safe live load capacity of not less than two hundred fifty (250) pounds per square foot. The upper surface of such floor or sidewalk shall be of some reasonably SLIP-PROOF material.

No basements shall be so constructed as to interfere with the pipes, sewers, wires or conduits of the City or any public utility. Footings located at least eight (8) feet below grade may project not more than twelve (12) inches into public property.

U.B.C. APPENDIX Section 4904. Footings is hereby deleted and a new section added as follows:

Footings

Patio covers attached to R-1 or R-3 occupancies shall be supported on concrete footings forty-two (42) inches below grade.

U.B.C. APPENDIX CHAPTER 61. SWIMMING POOLS is hereby added to read as follows:

Chapter 61
SWIMMING POOLS

Section 6101. General.

Pools used for swimming or bathing shall be in conformity with this section. However, these regulations shall not be applicable to any such pool less than TWENTY-FOUR (24) inches deep and having a surface area less than two hundred fifty (250) square feet, except when such pools are permanently equipped with a water recirculating system or involve structural materials. For purposes of this code, pools are classified as private swimming pools OR public swimming pools as defined in Section 6102.

Materials and construction used in swimming pools shall comply with the applicable requirements of this code. Pools used for swimming or bathing and their equipment or accessories which are constructed, installed and maintained in accordance with the applicable standards listed in Part XI—Uniform Building Code Standards, Chapter 60, of the *Uniform Building Code*, shall be deemed to conform to the requirements of this code, provided that the requirements of Sections 6107 and 6108 are included in the installation.

Section 6102. Classification of Pools.

Any constructed pool which is used, or intended to be used, as a swimming pool in connection with a single-family residence and available only to the family of the householder and his or her private guests shall be classified as a private swimming pool. Any swimming pool other than a private swimming pool shall be classified as a public swimming pool.

Section 6103. Permits.

A swimming pool or appurtenances thereto shall not be constructed, installed, enlarged or altered until a permit therefor has been obtained from the Director of Building Safety.

(a) *Plans.* Plans shall accurately show dimensions and construction of pools and appurtenances and properly established distances to lot lines, buildings, walks and fences. Plans for public swimming pools shall accurately show drainage and water disposal systems and all appurtenances pertaining to the swimming pool. Detail plans of structures, vertical elevations and cross-sections of public pools, showing depth, shall be included.

(b) *Locations.* Private swimming pools shall not encroach on any front or side yard required by this code or by the Zoning Code. A wall of a swimming pool shall not be located less than six (6) feet from any rear or side property line or ten (10) feet from any street property line.

Section 6104. Structural Design.

The pool structure shall be engineered and designed to withstand all forces to which it is expected that it will be subjected.

(a) *Wall Slopes.* To a depth up to TWO (2) feet NINE (9) INCHES from the top, the wall slope shall be not more than ONE (1) FOOT horizontal to five (5) feet vertical.

(b) *Floor Slopes.* The slope of the floor on the shallow side of the transition point shall not exceed one (1) foot vertical to seven (7)

feet horizontal. The transition point between shallow and deep water shall be not more than five (5) feet deep

(c) *Walkways.* All public swimming pools shall have walkways not less than four (4) feet in width, extending entirely around the pool. Where curbs or sidewalks are used around any swimming pool they shall have a NON-SLIP surface for a width of not less than one (1) foot at the edge of the pool and shall be so arranged as to prevent the return of surface water to the pool.

(d) *Steps and Ladders.* One (1) or more means of egress shall be provided from PRIVATE POOLS. PUBLIC POOLS SHALL PROVIDE LADDERS TO OTHER MEANS OF EGRESS AT BOTH SIDES OF THE DIVING SECTION AND AT LEAST ONE MEANS OF EGRESS AT THE SHALLOW SECTION; OR AT LEAST ONE MEANS OF EGRESS IN THE DEEP SECTION AND THE SHALLOW SECTION IF DIVING BOARDS ARE NOT PROVIDED. Treads of steps or ladders shall have NON-SLIP surfaces and handrails on both sides, except that handrails may be omitted when there are not more than four (4) steps or when the steps extend the full width of the side or end of the pool.

Section 6105. Appurtenant Structures.

All appurtenant structures, installations and equipment, such as showers, dressing rooms, equipment houses or other buildings and structures, including plumbing, heating and air conditioning, among others appurtenant to a swimming pool, shall comply with all applicable requirements of this code and the Zoning Code.

Section 6106. Accessories.

All swimming pool accessories shall be designed, constructed and installed so as not to be a safety hazard. Installations or structures for diving purposes shall be properly anchored to ensure stability.

Section 6107. Equipment and Installations

Pumps, filters and other mechanical and electrical equipment for public swimming pools shall be enclosed in such a manner as to be accessible only to authorized persons and not to bathers. Construction and drainage shall be such as to avoid the entrance and accumulation of water in the vicinity of electrical equipment.

Section 6108. Swimming Pool Safety Devices.

Every person owning land on which there is situated a swimming pool, which contains TWENTY-FOUR inches or more of water in depth at any point AND HAVING A SURFACE AREA OF 250 SQUARE FEET OR MORE, shall erect and maintain thereon an adequate enclosure surrounding either the property or pool area, sufficient to make such body of water inaccessible to small children. Such enclosure, including gates therein, must be not less than four (4) feet above the underlying grounds. All gates must be self-latching with latches placed four (4) feet above the underlying ground or otherwise made inaccessible from the outside to small children.

ALTERNATIVE DEVICES: A NATURAL BARRIER, POOL COVER, OR OTHER PROTECTIVE DEVICE APPROVED BY THE GOVERNING BODY SHALL BE AN ACCEPTABLE ENCLOSURE AS LONG AS THE DEGREE OF PROTECTION AFFORDED BY THE SUBSTITUTED DEVICE OR STRUCTURE IS NOT LESS THAN THE PROTECTION AFFORDED BY THE ENCLOSURE, GATE, AND LATCH DESCRIBED HEREIN.

1420.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if

no specific penalty is provided.)

CHAPTER 1422 Plumbing Code

- 1422.01 Adoption of 1991 edition of Uniform Plumbing Code; scope; application of County Code to private systems; references and citations; conflict of laws.
- 1422.02 Application of chapter.
- 1422.03 Board of Plumbing; establishment; composition; appointments; terms.
- 1422.04 Authority of Board; amendments to Uniform Plumbing code; Chief Plumbing Inspector.
- 1422.05 Plumbing work; license and registration of license required; exceptions.
- 1422.06 Installations and alterations; permit required.
- 1422.07 Homeowner's privilege.
- 1422.08 Advertising
- 1422.09 Violations; inspections; notification; stop work orders; liability
- 1422.10 Existing equipment.
- 1422.11 Hazardous equipment.
- 1422.12 Alternative materials and methods of construction.
- 1422.13 Excavations; sewer and water connections; permit required; exceptions.
- 1422.14 Fees and inspections.
- 1422.15 Additional permits and fees.
- 1422.16 Permit issuance, revocation and expiration.
- 1422.17 Amendments to Uniform Plumbing Code.
- 1422.99 Penalty

CROSS REFERENCES

- Plumbing Code in home rule cities—see M.C.L.A. Sec. 117.3
- Plumbers and plumbing generally—see M.C.L.A. Secs. 338.901 et seq.
- Drain and sewer layers and sewer cleaners—see B.R. & T. Ch. 814
- Sewers generally—see S.U. & P.S. Chs. 1040 et seq.
- Construction of sewers—see S.U. & P.S. Ch. 1044
- Drainage connections—see S.U. & P.S. 1044.11
- Plans for drains and drainage—see S.U. & P.S. 1044.04
- Sewers in subdivisions—see P & Z. 1238.06, 1238.07
- Disconnection of utilities incident to moving of buildings—see B. & H. 1420.02(U.B.C. 304(b)(4))
- Disconnection of utilities incident to demolition—see B. & H. 1420.02(U.B.C. 304(c)(3))
- 1422.01 ADOPTION OF 1991 EDITION OF UNIFORM PLUMBING CODE; SCOPE; APPLICATION OF COUNTY CODE TO PRIVATE SYSTEMS; REFERENCES AND CITATIONS; CONFLICT OF LAWS.
- (a) That certain code, an official copy of which is on file in the office of the City Clerk, being marked and designated as the *Uniform Plumbing Code*, 1991 edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted and made a part of the Building Code of the City pursuant to the authority vested in the City by M.C.L.A. 125.1508; M.S.A. 5.2949(8). and the Home Rule Act (M.C.L.A. 117.1 et seq.; M.S.A. 5.2071 et seq.), as amended. Such Plumbing Code provides regulations for the erection, installation, alteration, repair, relocation, replacement, addition to, use and maintenance of plumbing and/or drainage systems, except that any private or on-site sewage disposal system or any private or on-site water

supply system shall be constructed and maintained in accordance with applicable provisions of the *Ingham County Sanitary Code*. Each and all of the regulations, provisions, penalties, conditions and terms of such *Uniform Plumbing Code* shall be deemed adopted and made a part hereof by reference as if fully set out in this chapter, save and except such provisions as may be hereinafter amended or repealed.

(b) References throughout these Codified Ordinances to the *Uniform Plumbing Code* shall be deemed to mean *Uniform Plumbing Code* adopted in subsection (a) hereof and it may be so cited. References throughout these Codified Ordinances to the Plumbing Code of the City shall be deemed to mean this chapter, including the *Uniform Plumbing Code* adopted in this chapter, and it may be so cited. References throughout these Codified Ordinances to the Building Code of the City shall be deemed to mean all of the provisions of Titles Two and Four of Part Fourteen of these Codified Ordinances, including technical codes adopted therein by reference, and it may be so cited. References throughout these Codified Ordinances to the Building and Housing Code of the City shall be deemed to mean all of Part Fourteen of these Codified Ordinances, and it may be so cited.

(c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the *Uniform Plumbing Code*, herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the *Uniform Plumbing Code*, herein adopted, and State law, including rules and regulations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the *Uniform Plumbing Code*, herein adopted, and a provision of any other standard technical code adopted by reference by the City, the stricter or higher standard shall control. (Ord. 804. Passed 7-31-89.)

1422.02 APPLICATION OF CHAPTER.

The Provisions of this chapter pertaining to plumbing or drainage systems shall not be deemed to extend beyond the property line of any lot, nor shall any permit issued hereunder be construed as giving the right to connect with a public sewer or water main. (Ord. 804. Passed 7-31-89.)

1422.03 BOARD OF PLUMBING; ESTABLISHMENT; COMPOSITION; APPOINTMENTS; TERMS.

The Mayor, with the advice and consent of Council, shall appoint a Board of Plumbing to serve for a term of four years. The Board shall consist of six members, two of whom shall be active employing master plumbers with ten years of experience, two of whom shall be active journeymen licensed plumbers with ten years of experience, and two of whom shall be residents of the City who are not engaged in the plumbing or building business. The Board shall create its own organization and have a President and Vice-President. The City Engineer and the Chief Plumbing Inspector shall be ex-officio members and shall be authorized to attend all meetings in a nonvoting capacity. The Chief Plumbing Inspector shall act as Secretary of the Board and shall serve as a liaison between the Director of the Division of Building Safety and the Board.

(Ord. 804. Passed 7-31-89.)

1422.04 AUTHORITY OF BOARD; AMENDMENTS TO UNIFORM

PLUMBING CODE; CHIEF PLUMBING INSPECTOR.

The Board of Plumbing shall consider all proposed amendments to the *Uniform Plumbing Code*, as adopted and amended in this chapter, promulgated to safeguard the standards for the installation and alteration of plumbing within the City, and shall make recommendations regarding the same to the Mayor and Council.

If a vacancy occurs in the office of the Chief Plumbing Inspector, the Board may submit the name of a qualified person to the Personnel and Training Department for consideration. The City shall then appoint a person to the office of Chief Plumbing Inspector, but any person who meets the minimum qualifications may be appointed, whether or not he or she is on the list submitted by the Board. The Chief Plumbing Inspector shall have six years of experience in the plumbing field as a master or journeyman plumber licensed by the State. THE CHIEF PLUMBING INSPECTOR MUST BE REGISTERED WITH THE MICHIGAN DEPARTMENT OF LABOR AS A PLUMBING INSPECTOR AND PLAN REVIEWER.

The Board shall make, advise, review and/or recommend all necessary rules, regulations and interpretations and applications of the *Uniform Plumbing Code*. In addition, the Board shall possess all powers granted to it as an advisory board by the City Charter and shall advise the Chief Plumbing Inspector to implement and enforce the same. The Board shall advise the Plumbing Inspectors only in the areas of its technical expertise, leaving administrative direction to the Director of Building Safety. Appeals from decisions, rules, regulations, interpretations and applications shall be submitted to the Board of Appeals.

(Ord. 804. Passed 7-31-89.)

1422.05 PLUMBING WORK; LICENSE AND REGISTRATION OF LICENSE REQUIRED; EXCEPTIONS.

No person shall engage in the business of or perform the work of Plumbing contracting, unless the person has first registered his or her license with the Building Safety Division. No person, other than a licensed master or journeyman plumber, or a plumbing apprentice, who is employed by and working under the direction of a holder of a master plumber's license whose business is registered with the City, shall in any manner undertake to execute any plumbing work. Registration forms shall be approved by the Board of Plumbing. A plumbing business license shall be registered with the Building Safety Division only after payment of a fee, as established by resolution of Council. A licensed master plumber shall be registered with the Building Safety Division only after the payment of a fee established by resolution of Council. A licensed journeyman plumber shall be registered with the Building Safety Division only after payment of a fee established by resolution of Council.

The Building Safety Division shall allow to be registered pursuant to this section only those persons with a current journeyman or master plumber's license issued by the State Plumbing Board. All registrations shall expire on the same date the applicable license expires.

(Ord. 804. Passed 7-31-89.)

1422.06 INSTALLATIONS AND ALTERATIONS; PERMIT REQUIRED.

No person shall install or alter plumbing in the City without first obtaining a permit therefor from the Division of Building Safety. The application shall be addressed to the Chief Plumbing Inspector and

shall be accompanied by the necessary permit and inspection fees and by a plan showing the proposed installation or alteration. If such application is in proper form and the proposed installation or alteration will not violate the law or the rules and regulations to be promulgated hereunder, a permit shall be issued for the work named in the application. Such permit shall be posted on the premises where the work is to be done and shall remain posted until final inspection and approval. If the application is not in proper form it shall be referred to the Chief Plumbing Inspector who shall have power to grant variations in order to prevent undue hardship, provided such variations do not, in the opinion of the Chief Plumbing Inspector, create a health hazard.

(Ord. 804. Passed 7-31-89.)

1422.07 HOMEOWNER'S PRIVILEGE.

Nothing contained in this chapter shall prohibit any bona fide owner from personally doing any work regulated by this chapter in his or her own home or on his or her own premises at which he or she presently resides or is about to reside, provided that such owner:

- (a) Furnishes a signed affidavit;
- (b) Applies for and secures a permit;
- (c) Pays the required fees;
- (d) Does the work in accordance with this chapter;
- (e) Does the work himself or herself;
- (f) Applies for inspection; and
- (g) Receives the approval of the Inspector.

Homeowner's privileges shall extend to single-family residences only and shall not apply to any residence or structure from which a monetary gain is being received or is intended to be received or which is being used for commercial purposes.

A person may obtain a homeowner's permit on only one residence in any twelve-month period. The twelve-month period shall commence from the date of the last homeowner permit obtained by the homeowner.

(Ord. 804. Passed 7-31-89.)

1422.08 ADVERTISING.

Any person who engages for hire in the business of plumbing, drain laying or sewer cleaning in the City shall, after the effective date of this section, have prominently displayed on all vehicles used to convey material and/or equipment, in lettering of two and one-half inches or more on each side of the vehicle, the business name under which the business operates.

Any word or words used in any sign, display, business form, document or advertising medium which indicates or tends to indicate that any person is qualified to contract for, supervise, install, repair, replace, remove or service any plumbing which requires a permit or inspection from the City shall be in violation of this chapter unless the same are uttered, published or displayed by authority of a licensed or registered master plumber whose place of business is known to and registered or recorded with the authority specified by the statutes of the State and the ordinances of the City. Specifically, the intention is to regulate sewer cleaners, welders, plumbing supply firms, refrigeration installers, installers of fire sprinkler systems, and similar trades and vocations, so that they shall not advertise under the classification or caption of "plumbers" or "plumbing" unless a licensed master plumber is authorized or responsible as part of the business so advertised.

(Ord. 804. Passed 7-31-89.)

1422.09 VIOLATIONS; INSPECTIONS; NOTIFICATION; STOP

WORK ORDERS; LIABILITY.

(a) *Violations.* Any violation of this Plumbing Code BY ANY PERSON TO WHOM the Plumbing Inspector has given written notice THEREOF shall be corrected within fifteen days of receipt of such notice. Failure to comply with this section is a violation of this Plumbing Code and shall subject the violator to all the penalties provided for by these Codified Ordinances.

(b) *Inspections.* All plumbing and drainage systems shall be inspected by the Chief Plumbing Inspector OR HIS OR HER AUTHORIZED REPRESENTATIVE to ensure compliance with all the requirements of this Plumbing Code.

(c) *Notification.* The person doing the work authorized by the permit shall notify the Plumbing Inspector orally or in writing that such work is ready for inspection. Such notification shall be given not less than twenty-four hours before the work is to be inspected. Such person shall make sure that the work will stand the tests prescribed elsewhere in this Plumbing Code, before giving such notification.

(d) *Stop Work Orders.* Whenever any work is being done contrary to the provisions of this Plumbing Code, the Chief Plumbing Inspector or his or her authorized representative may order the work stopped by serving written notice to that effect on any person engaged in doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the Chief Plumbing Inspector OR HIS OR HER AUTHORIZED REPRESENTATIVE to proceed with the work.

(e) *Liability.* The Chief Plumbing Inspector or any employee charged with the enforcement of this Plumbing Code, acting in good faith and without malice in the discharge of his or her duties, shall not thereby render himself or herself liable personally and is hereby relieved from all personal liability for any damage that may accrue to person or property as a result of any act required or by reason of any act of omission in the discharge of his or her duties. Any suit brought against the Chief Plumbing Inspector or his or her employees because of such act or omission performed by him or her in the enforcement of any provisions of this Plumbing Code shall be defended by the Department of Law until final termination of the proceedings.

(Ord. 804. Passed 7-31-89.)

1422.10 EXISTING EQUIPMENT. Plumbing and drainage systems, hot water heaters and other miscellaneous equipment lawfully installed prior to the effective date of this chapter may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health or property.

(Ord. 804. Passed 7-31-89.)

1422.11 HAZARDOUS EQUIPMENT.

Whenever the Chief Plumbing Inspector OR HIS OR HER AUTHORIZED REPRESENTATIVE learns or ascertains that any plumbing equipment has become hazardous to life, health or property, he or she shall order, in writing, that such equipment be restored to a condition of safety or be dismantled or removed from its present location. The written notice shall fix a time limit for compliance with such order. No person shall use or maintain the defective equipment after receiving such notice.

(Ord. 804. Passed 7-31-89.)

1422.12 ALTERNATIVE MATERIALS AND METHODS OF CONSTRUCTION.

This chapter is not intended to prevent the use of any material or method of construction not specifically described by this chapter, provided that any such alternative has been approved.

The Plumbing Board may approve any such alternative, provided it finds that the proposed design is satisfactory and complies with this chapter and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this chapter in quality, strength, effectiveness, fire resistance, durability and safety.

The Board shall require that sufficient evidence or proof be submitted to substantiate any claim that may be made regarding such use.

(Ord. 804. Passed 7-31-89.)

1422.13 EXCAVATIONS; SEWER AND WATER CONNECTIONS; PERMIT REQUIRED; EXCEPTIONS.

No person shall excavate or obstruct any public or private street, alley or other thoroughfare for the purpose of installing plumbing or sewerage, or connect to any private or public sewer, without first obtaining the proper permit therefor. No person shall commence the construction, reconstruction, alteration or repair of a plumbing or sewerage system within the walls of a building without first obtaining a plumbing permit therefor. However, no permit shall be necessary for the unstopping of sewers or waste pipes. No person shall install piping for potable water on any property, whether inside or outside the walls of a building, without first obtaining a plumbing permit therefor. However, no permit shall be required for the installation of water service lines by the Board of Water and Light. All plumbing permits shall be subject to the rules and regulations of the Municipal department having jurisdiction.

When making application for a permit the following information should be furnished:

(a) The name and address of the owner, agent or other person for whom work is being done;

(b) The name and address of the master plumber;

(c) The name and address of the builder, contractor, architect or agent having charge of the work;

(d) The location of the work, including municipality, street and number, or lot and block when street and number are not available; and

(e) The number and kind of fixtures to be installed or the nature of reconstruction, alteration or repair.

The builder, architect or plumber may, and shall when required, file a plan and specification sheet showing the type of fixtures to be used; the location and size of all soil, waste and vent pipes; building drains and building sewers; inside conductor; chases, recesses or pockets to be provided for their installation or for access to the same; and the means provided to gain access to traps, cleanouts, fixtures, water control valves and other valves.

(Ord. 804 Passed 7-31-89.)

1422.11 FEES AND INSPECTIONS.

(a) Unless otherwise provided for in this chapter, all fees, the collection of which is provided for in this chapter, shall be set by resolution of Council and shall be paid in advance

(b) Plumbing safety inspections of existing buildings for resale purposes, including a letter listing any corrections needed, shall be performed upon receipt of a written request and upon payment of a fee set by resolution of Council.

(Ord. 804. Passed 7-31-89.)

1422.15 ADDITIONAL PERMITS AND FEES.

A permit shall be required and an inspection fee shall be charged for the repair, cutting into or installation of any soil pipe, waste pipe or fitting, including replacement of all plumbing fixtures and relief valves.

(Ord. 804. Passed 7-31-89.)

1422.16 PERMIT ISSUANCE, REVOCATION AND EXPIRATION.

(a) Except as otherwise provided in Section 1422.07, permits for plumbing work shall be issued only in the name of persons who are registered licensed master plumbers.

(1) All work not performed under a homeowner's permit shall be performed entirely under the supervision of a properly registered employing master plumber.

(2) All work not performed under a homeowner's permit shall be done by LICENSED MASTER PLUMBER OR BY JOURNEYMEN PLUMBERS OR APPRENTICES WHO ARE REGISTERED AS SUCH WITH THE STATE PLUMBING BOARD AND WORKING UNDER THE DIRECT SUPERVISION OF A MASTER PLUMBER.

(3) The City Board of Plumbing may recommend the revocation of a permit of any plumber who has violated any of the provisions of the rules and regulations governing plumbing, or who neglects to make necessary changes as directed within three days after notification

(b) Every permit issued by the Chief Plumbing Inspector under this chapter shall expire by limitation and become null and void if the work authorized by such permit is not commenced within sixty days from the date of such permit or if the work authorized by such permit is suspended or abandoned FOR 120 DAYS at any time after the work is commenced. Before such work can be recommenced, a new permit therefor shall be obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided that no changes have been made or will be made in the original plans and specifications for such work, and provided, further, that such suspension or abandonment has not exceeded one year from the date of expiration of the permit. In all other circumstances, the permittee shall pay the full permit fee.

(c) Any permit holder who violates any of the provisions of this chapter or any rule adopted pursuant to this chapter may have his or her permit revoked and any future permit withheld pending the correction of an existing violation. The Chief Plumbing Inspector may, in writing, suspend or revoke a permit issued under provisions of this Plumbing Code whenever the permit is issued in error or on the basis of incorrect information supplied by the applicant.

(Ord. 804. Passed 7-31-89.)

1422.17 AMENDMENTS TO UNIFORM PLUMBING CODE.

The *Uniform Plumbing Code* adopted by Section 1422.01 is hereby amended as follows:

U.P.C. Part 1. Administration is hereby deleted.

U.P.C. Section 104 is hereby amended BY ADDING THE FOLLOWING DEFINITION:

(b) Circuit vent—A circuit vent is a branch vent that serves two or more traps and extends from in front of the last fixture connection of a horizontal branch to the vent stack.

U.P.C. Section 209—Backwater Valves is hereby deleted and a new section added as follows:

Backwater Valves

Backwater valves shall be of an approved PVC, cast iron or brass body, noncorrosive bearings, seats and self-aligning discs, and shall be constructed so as to ensure a positive mechanical seal and to remain closed, except when discharging wastes. Such valves shall remain sufficiently open during periods of low flows to avoid screening of solids and shall not restrict capacities or cause excessive turbulence during peak loads. Unless otherwise listed, valve access covers shall be of a bolted type with a gasket and each valve shall bear the manufacturer's name cast into the body and the cover.

U.P.C. Section 310—Prohibited Fittings and Practices is hereby amended by changing subsection (c) to read as follows:

(c) No waste connection shall be made to a closet bend four (4) inches or less or to a stub of a water closet or similar fixture without venting.

U.P.C. Section 323—Solid Waste Disposal is hereby added to read as follows:

All food preparation and food dispensing areas shall be equipped with garbage disposal units installed in accordance with all applicable Plumbing Code requirements.

U.P.C. Section 401—Materials is hereby amended by deleting subsection (a) and adding the following:

(a) Drainage pipe shall be cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, extra strength vitrified clay pipe, ABS, PVC not less than SCH 40 underground, or other approved materials having a smooth and uniform bore, except that:

(1) No galvanized wrought iron or galvanized steel pipe shall be used underground. Such pipe shall be at least six (6) inches above ground.

(2) ABS, PVC and DWV piping installations shall be limited to those structures where combustible construction is allowed.

(3) No vitrified clay pipe or fittings shall be used above ground. Such pipe or fittings shall be kept twelve (12) inches below ground. Table 4-1, Sinks and/or dishwashers (residential), is hereby amended by deleting "two inches" (2") and adding "one and one-half inches" (1-½") minimum waste.

U.P.C. Section 406—Cleanouts is hereby amended by deleting subsection (a) and adding the following:

(a) Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal and each run of piping which is more than fifty (50) feet in total developed length shall be provided with a cleanout for each fifty (50) feet or fraction thereof in length of such piping.

U.P.C. Section 501—Vents Required is hereby amended by adding a new paragraph as follows:

Any fixture branch shall be vented if it is connected within three (3) feet of a waste/soil stack base, and above which, into the stack, other fixtures with a combined discharge of four (4) fixture units or more are connected.

U.P.C. SECTION 503—MATERIALS IS HEREBY AMENDED BY DELETING SUBSECTION (A) AND ADDING THE FOLLOWING:

(a) VENT PIPE SHALL BE CAST IRON, GALVANIZED STEEL, GALVANIZED WROUGHT IRON, LEAD, COPPER, BRASS, EXTRA STRENGTH VITRIFIED CLAY PIPE, ABS, PVC NOT LESS THAN SCH 40 UNDERGROUND, OR OTHER APPROVED MATERIALS HAVING A SMOOTH AND UNIFORM BORE,

EXCEPT THAT:

(1) NO GALVANIZED WROUGHT IRON OR GALVANIZED STEEL PIPE SHALL BE USED UNDERGROUND. SUCH PIPE SHALL BE AT LEAST SIX (6) INCHES ABOVE GROUND.

(2) ABS, PVC AND DWV PIPING INSTALLATIONS SHALL BE LIMITED TO THOSE STRUCTURES WHERE COMBUSTIBLE CONSTRUCTION IS ALLOWED.

U.P.C. Section 504—Size of Vents is hereby amended by adding new subsections (c) and (d), as follows:

(c) Relief vents for existing residential structures may be unprotected and installed on the exterior wall of existing residential structures when permitted by the administrative authority. Such relief vents shall be not less than three (3) inches in diameter.

(d) No exterior vent piping shall be less than three (3) inches in diameter.

U.P.C. SECTION 506(F)—FROST OR SNOW CLOSURE IS HEREBY AMENDED BY DELETING TWO (2) INCHES (50.8MM) AND ADDING THREE (3) INCHES (82.6MM) IN THE FIRST SENTENCE.

U.P.C. Section 601—Indirect Waste Conditions is hereby amended by adding a new subsection (e) as follows:

(e) All food service establishments licensed under M.C.L.A. 333.12901 et seq.; M.S.A. 14.15 (12901) shall comply with the following requirements:

(1) No disposal unit shall be installed in a three-compartment sink, unless installed in a depressed well specifically designed for such unit, with a separate trap and waste connection.

(2) All dishwashers and the sanitizing compartment of a three-compartment sink shall have an indirect waste connection, unless there is a floor drain installed which connects to the same line within three (3) feet of the unit.

U.P.C. Section 613—Vertical Wet Venting is hereby amended by deleting subsections (a), (b) and (c) and adding the following:

Any combination of fixtures with ratings of two (2) fixture units or less may be connected to waste stacks at different floor levels without reventing, not to exceed the following schedule:

1-1/2" waste stack	2 fixture units
2" waste stack	4 fixture units
3" waste stack	8 fixture units
4" waste stack	36 fixture units

U.P.C. CHAPTER 6. INDIRECT WASTE PIPING, WET VENTED SYSTEMS AND SPECIAL WASTES IS HEREBY AMENDED BY ADDING A NEW SECTION 616—BATTERY DRAINAGE SYSTEMS, AS FOLLOWS:

U.P.C. SECTION 616—BATTERY DRAINAGE SYSTEMS ANY HORIZONTAL BRANCH, SOIL OR WASTE PIPE, TO WHICH TWO OR MORE FIXTURES (EXCEPT BLOWOUT-TYPE WATER CLOSETS) ARE CONNECTED IN A BATTERY, MAY BE VENTED BY A CIRCUIT OR LOOP VENT.

THE CIRCUIT OR LOOP VENT OF A BATTERY DRAINAGE SYSTEM SHALL BE INSTALLED VERTICALLY IN FRONT OF THE LAST UPSTREAM FIXTURE. IN ADDITION, LOWER FLOOR BRANCHES SERVING MORE THAN THREE WATER CLOSETS SHALL BE PROVIDED WITH A RELIEF VENT TAKEN OFF VERTICALLY IN FRONT OF THE FIRST FIXTURE CONNECTION.

NO MORE THAN EIGHT WATER CLOSETS MAY BE CONNECTED TO A BATTERY DRAINAGE SYSTEM. THE FIXTURE UNIT VALUE FOR ALL FIXTURES SHALL BE AS LISTED IN

TABLES 4-1 AND 4-2. THE HORIZONTAL BRANCH FOR ITS FULL LENGTH TO THE FURTHEST FIXTURE SHALL BE UNIFORMLY SIZED AS LISTED IN TABLE 4-3, BASED ON THE TOTAL NUMBER OF FIXTURES.

THE VENT OF A BATTERY DRAINAGE SYSTEM SHALL BE SIZED FOR THE FIXTURE UNIT DEMAND OF BATTERY SYSTEM ACCORDING TO TABLE 4-3, BASED ON THE TOTAL NUMBER OF FIXTURES. THE RELIEF VENT MAY BE WET VENTED WITH A FIXTURE DRAINED VERTICALLY INTO THE BATTERY DRAINAGE SYSTEM. SUCH VENT SHALL BE THE SAME SIZE AS THE CIRCUIT VENT IT INTERSECTS.

ALL VENTS SHALL RISE VERTICALLY TO SIX INCHES ABOVE THE FLOOD LEVEL OF THE HIGHEST FIXTURE ON THE SYSTEM.

(ORD. 804. PASSED 7-31-89.)

U.P.C. Section 702—Traps Protected by Vent Pipes is hereby amended by deleting subsection (b) and Table 7-1 and adding the following:

(b) Single fixtures which are within eight (8) feet in developed length from the seal of the trap to a main vented line may be installed without additional venting, providing that the vertical drop does not exceed three (3) feet.

U.P.C. Section 806—Prohibited Joints and Connections is hereby amended by deleting subsection (a) and adding the following:

(a) *Drainage System.* Any fitting or connection which has an enlargement, chamber or recess with a ledge, shoulder or reduction of pipe area, that offers an obstruction to flow through the drain, is prohibited, except that specifically designed stack fittings may be used upon approval as to safety by the Chief Plumbing Inspector.

U.P.C. Section 910—Plumbing Fixtures Required is hereby deleted and a new section added as follows:

Plumbing Fixtures Required
Each building shall be provided with sanitary facilities as prescribed in Tables 9-1 through 9-20.

TABLE 9-1
Employees—All Buildings Where
Separate REST ROOM Facilities are Required
for the Employees

Occupant load is composed of 50% of each sex.

One unisex REST ROOM consisting of 1 water closet and 1 lavatory is permissible in buildings with a total of 15 or fewer employees.

Urinals shall not be installed in unisex REST ROOMS.

Number OF OCCUPANTS	Males			Number OF OCCUPANTS	Females		
	Water Closets	Urinals	Lavatories		Water Closets	Lavatories	
1 - 15	1	0	1	1 - 15	1	1	
16 - 35	2	1	1	16 - 35	2	1	
36 - 55	3	1	2	36 - 55	3	2	
56 - 80	4	1	2	56 - 80	4	2	
81 - 110	5	1	3	81 - 110	5	3	

1. In addition, 1 water closet and 1 lavatory shall be provided for each additional 45 persons of each sex, or fraction thereof, starting at 111.

2. Urinals may be substituted for not more than $\frac{1}{2}$ of the required number of water closets.
3. Each public REST ROOM shall have at least one floor drain.

TABLE 9-2
Theaters, Sports Arenas, Stadiums

Occupant load is composed of 50% of each sex.

Number OF OCCUPANTS	Water Closets	Urinals	Lavatories	Number OF OCCUPANTS	Water Closets	Lavatories
1 - 50	1	1	1	1 - 50	2 3	1
51 - 100	2	1	1	51 - 100	3 4	1
101 - 150	3	1	2	101 - 150	4 5	2
151 - 300	4	1	3	151 - 300	5 7	3

1. In addition, 1 water closet and 1 lavatory shall be provided for each 150 MEN AND 100 WOMEN, or fraction thereof, starting at 301.
2. One drinking fountain is required for each 500 persons.
3. One service sink per floor is required.
4. Urinals may be substituted for not more than $\frac{1}{2}$ of the required number of water closets.
5. Each public REST ROOM shall have at least one floor drain.

TABLE 9-3
Food Service Establishments Licensed to
Dispense Alcoholic Beverages on the Premises, Including
Nightclubs, Bars, Cocktail Lounges and Restaurants

Occupant load is composed of 50% of each sex.

Males				Females			
Number OF OCCUPANTS	Water Closets	Urinals	Lavatories	Number OF OCCUPANTS	Water Closets	Lavatories	
1 - 50	1	1	1	1 - 50	2	1	
51 - 150	2	1	2	51 - 150	3	2	
151 - 300	3	1	3	151 - 300	4	3	
301 - 500	4	2	4	301 - 500	5 6	4	

1. EMPLOYEES ARE TO BE INCLUDED IN THE TOTAL OCCUPANCY COUNT FOR ESTABLISHMENTS WITH AN OCCUPANCY OF 50 OR FEWER PERSONS. SEPARATE REST ROOM FACILITIES FOR EMPLOYEES SHALL NOT BE REQUIRED FOR ESTABLISHMENTS WITH A TOTAL OCCUPANT LOAD OF 50 OR FEWER PERSONS.
2. FOR OCCUPANT LOADS OF 51 OR MORE, SEE TABLE 9-1 FOR EMPLOYEE REST ROOM REQUIREMENTS.
3. In addition, 1 water closet and 1 lavatory shall be provided for each additional 200 persons of each sex, or fraction thereof, starting at 501.
4. Food service establishments are required to have a Michigan Department of Health approved hand wash sink located in the food preparation and alcoholic beverage preparation areas and the dishwashing or utensil-washing area.
5. Each establishment shall have at least 1 service sink. The service sink may be of the floor type with a raised curb and drain.

6. Urinals may be substituted for not more than $\frac{1}{2}$ of the required number of water closets.
7. Each REST ROOM shall have at least 1 floor drain.

TABLE 9-4
Food Service Establishments
(Without Alcoholic Beverages)
Including Restaurants, Coffee Shops, Cafeterias
and Delicatessens

Occupant load is composed of 50% of each sex.

One unisex REST ROOM consisting of 1 water closet and 1 lavatory is permissible in establishments with a total occupancy of 15 or fewer persons, including employees.

Urinals shall not be installed in unisex REST ROOMS.

Males				Females			
Number OF OCCUPANTS	Water Closets	Urinals	Lavatories	Number OF OCCUPANTS	Water Closets	Lavatories	
1 - 7 25	1	1 0	1	1 - 7 25	1	1	
8 26 - 50	1	1	1	8 26 - 50	2 2	1	
51 - 150	2 2	1	2	51 - 150	3 3	2	
151 - 300	2	2	3	151 - 300	3 4	3	

1. Employees are to be included in the total occupancy count for establishments with an occupancy of 50 or fewer persons. Separate REST ROOM facilities for employees shall not be required for establishments with a total occupancy load of 50 or fewer persons.
2. Separate employee REST ROOMS are required for establishments with a total occupancy of 51 or more persons. Refer to the employee fixture requirements in Table 9-1 to determine employee REST ROOM requirements.
3. Food service establishments with counter service only (no seating) shall be exempt from the requirement of providing REST ROOM facilities for the public. Employee REST ROOM facilities are required.
4. Food service establishments with counter service only (no seating), of the free-standing kiosk type, or in food courts within malls, shall be exempt from providing REST ROOM facilities for employees if REST ROOM facilities under the same ownership, lease or control are within 500 feet of the employees' usual working place.
5. In addition, 1 water closet and 1 lavatory shall be provided for each additional 200 persons of each sex, or fraction thereof, starting at 301.
6. Urinals may be substituted for not more than $\frac{1}{2}$ of the required number of water closets.
7. Food service establishments shall have at least 1 service sink. The service sink may be of the floor type with a raised curb and drain.
8. Each REST ROOM shall have at least 1 floor drain.
9. Food service establishments are required to have a Michigan Department of Public Health approved hand wash sink located in the food preparation area and the dishwashing or utensil washing

area.

TABLE 9-5

Exhibition Halls, Libraries, Recreation Centers, Passenger Terminals and Other Similar Purpose Assembly Buildings

Occupant load is composed of 50% of each sex

Males				Females			
Number OF OCCUPANTS	Water Closets	Urinals	Lavatories	Number OF OCCUPANTS	Water Closets	Lavatories	
1 - 50	1	0	1	1 - 50	1	1	
51 - 100	1	1	1	51 - 100	2	1	
101 - 200	2	1	1	101 - 200	3	1	
201 - 400	3	1	2	201 - 400	4	2	
401 - 900	4	1	3	401 - 900	5	3	

1. In addition, 1 water closet and 1 lavatory shall be provided for each 500 MEN AND 350 WOMEN, or fraction thereof, starting at 901.

2. One drinking fountain is required for each 1,000 persons.

3. One service sink per floor is required.

4. Urinals may be substituted for not more than 1/2 of the required number of water closets.

5. Each public REST ROOM shall have at least 1 floor drain.

TABLE 9-6

Schools
Elementary and Secondary

Occupant load is composed of 50% of each sex.

Males					Females				
Number of Students	Water Closets	Urinals	Lavatories	Drinking Fountains	Number of Students	Water Closets	Lavatories	Drinking Fountains	Total Enrollment
1 - 15	1	1	1	1	1 - 15	1	1	1	1
16 - 40	1	1	1	1	16 - 40	2	2	1	1
41 - 80	2	1	2	2	41 - 80	3	3	2	2
81 - 120	3	2	3	3	81 - 120	4	4	3	3
121 - 150	4	3	4	4	121 - 150	5	5	4	4
151 - 200	5	4	5	5	151 - 200	6	6	5	5
201 - 300	6	5	6	6	201 - 300	8	8	7	7
301 - 400	7	6	7	7	301 - 400	10	10	9	9
401 - 500	8	7	8	8	401 - 500	12	12	11	11
501 - 600	9	8	9	9	501 - 600	14	14	13	13
601 - 800	11	10	11	11	601 - 800	17	17	16	16
801 - 1000	13	12	13	13	801 - 1000	21	21	20	20

"E"-Elementary schools.

"S"-SECONDARY SCHOOLS, INCLUDING POST-HIGH SCHOOL COLLEGES AND UNIVERSITIES.

1. In addition, 1 fixture of each type listed shall be provided for each additional 200 persons of each sex, or fraction thereof, starting at 1,001.

2. One service sink per floor is required.

3. Urinals shall not be installed in the individual classroom REST ROOMS in elementary schools. Required urinals for elementary schools shall be placed in group REST ROOMS.

4. Each public REST ROOM shall have at least 1 floor drain.

5. Faculty and employee REST ROOMS shall be separate.

Employee fixture requirements shall be determined from the employee fixture requirements in Table 9-1.

TABLE 9-7
Churches

Occupant load is composed of 50% of each sex.

Males				Females			
Number OF OCCUPANTS	Water Closets	Urinals	Lavatories	Number OF OCCUPANTS	Water Closets	Lavatories	
1 - 50	1	0	1	1 - 50	1	1	
51 - 100	1	1	1	51 - 100	2	1	
101 - 200	2	1	1	101 - 200	3	1	
201 - 400	3	1	2	201 - 400	4	2	
401 - 600	4	1	3	401 - 600	5	3	

1. In addition, 1 water closet and 1 lavatory shall be provided for each additional 200 persons for each sex, or fraction thereof, starting at 601.

2. One drinking fountain is required in each building.

3. One service sink is required in each building.

4. Urinals may be substituted for not more than 1/2 of the required number of water closets.

5. Each public section shall have at least 1 floor drain.

6. Plumbing fixtures may be located in adjacent buildings under the ownership or control of the church when accessible during periods the church is occupied.

TABLE 9-8

Business-Professional Services, Offices, Civic Administration Activities, Banks, Research laboratories, Service Stations, Out-Patient Clinics

Occupant load is composed of 50% of each sex.

One unisex REST ROOM consisting of 1 water closet and 1 lavatory is permissible in buildings with a total of 15 or fewer occupants.

Urinals shall not be installed in unisex REST ROOMS.

Males				Females			
Number OF OCCUPANTS	Water Closets	Urinals	Lavatories	Number OF OCCUPANTS	Water Closets	Lavatories	
1 - 7	1	0	1	1 - 7	1	1	
8 - 20	1	1	1	8 - 20	2	1	
21 - 40	2	1	1	21 - 40	3	1	
41 - 60	3	1	2	41 - 60	4	2	

1. In addition, 1 water closet and 1 lavatory shall be provided for each additional 50 persons of each sex, or fraction thereof, starting at 61.

2. One service sink per floor is required. This requirement shall be waived if 75% of the floor area of the business is carpeted.

3. When the occupant load exceeds six, one drinking fountain shall be provided for each 100 persons.

4. Urinals may be substituted for not more than 1/2 of the required number of water closets.

EXCEPTION: IN A LICENSED HOME FOR AGED, RESIDENT

5. Each public REST ROOM shall have at least 1 floor drain.

6. Required REST ROOM facilities may be located in central core REST ROOMS if all of the following requirements are complied with:

a. Required REST ROOM facilities are accessible to occupants of the building at all times.

b. Required REST ROOM facilities are located on each floor of a multi-story building.

c. Occupants are not required to travel more than 200 feet from the required REST ROOM facility area.

TABLE 9-9

Factories and Industrial Uses, Including High-Hazard Buildings and Structures

Occupant load is composed of 50% of each sex.

One unisex REST ROOM consisting of 1 water closet and 1 lavatory is permissible in buildings with a total of 15 or fewer occupants.

Urinals shall not be installed in unisex REST ROOMS.

Number OF OCCUPANTS	Males			Number OF OCCUPANTS	Females	
	Water Closets	Urinals	Lavatories		Water Closets	Lavatories
1 - 7	1	0	1	1 - 7	1	1
8 - 15	1	1	1	8 - 15	2	1
16 - 30	2	1	1	16 - 30	3	1
31 - 45	3	1	2	21 - 45	4	2

1. In addition, 1 water closet and 1 lavatory shall be provided for each additional 25 persons of each sex, or fraction thereof, starting at 46.

2. One drinking fountain is required for each 75 persons.

3. One service sink is required in each building.

4. Urinals may be substituted for not more than 1/2 of the required number of water closets.

5. Each public REST ROOM shall have at least 1 floor drain.

6. Emergency shower and eye wash stations are to be installed IN ACCORDANCE WITH THE UNIFORM PLUMBING CODE.

TABLE 9-10

Adult Group Homes, Adult Congregate Homes Governed By Department of Social Services Rules Promulgated under Authority of M.C.L.A. 400 701 et seq., as amended

Water Closets	Lavatories	Bath/Shower
1 per 8 persons	1 per 8 persons	1 per 8 persons

1. Laundry facilities shall be provided.

2. Hot water temperature shall range from 110 degrees Fahrenheit to 120 degrees Fahrenheit at the fixtures.

3. At least 1 water closet and 1 lavatory shall be provided on each floor having resident bedrooms.

TABLE 9-11

Institutional—Hospitals, Sanitariums, Homes for the Aged

1. EACH PATIENT SLEEPING ROOM, EXCLUSIVE OF INTENSIVE CARE OR SPECIAL CARE ROOMS, SHALL PROVIDE A WATER CLOSET AND A LAVATORY IN A ROOM DIRECTLY ACCESSIBLE FROM THE SLEEPING ROOM.

EXCEPTION: IN A LICENSED HOME FOR AGED, RESIDENT TOILET FACILITIES SHALL BE LOCATED IN SEPARATE ROOMS OR STALLS AND SHALL BE PROVIDED IN THE RATIO OF AT LEAST 1 LAVATORY AND WATER CLOSET FOR EVERY 8 RESIDENT BEDS PER FLOOR.

2. BATHING FACILITIES

HOSPITALS 1 FIXTURE PER 12 BEDS

NURSING HOMES 1 FIXTURE PER 20 BEDS

HOMES FOR AGED 1 FIXTURE PER 15 BEDS

3. ONE DRINKING FOUNTAIN LOCATED ON EACH FLOOR LEVEL.

4. ONE SERVICE SINK LOCATED ON EACH FLOOR LEVEL.

5. A VISITOR REST ROOM CONSISTING OF 1 WATER CLOSET AND 1 LAVATORY LOCATED ON EACH FLOOR LEVEL.

6. EMPLOYEE REST ROOM FACILITIES SHALL BE SEPARATE FROM PATIENT AND PUBLIC FACILITIES.

TABLE 9-12

Institutional—Jails, Prisons, Reformatories

Minimum Security

Water Closets	Lavatories	Showers
1 per 8 inmates or fraction thereof	1 per 8 inmates or fraction thereof	1 per 15 inmates or fraction thereof

Medium and Maximum Security

Water Closets	Lavatories	Showers
1 per cell	1 per cell	1 per 15 inmates or fraction thereof

1. One drinking fountain is required for each 100 inmates.

2. One service sink is required in each building.

3. Urinals may be substituted for not more than 1/2 of the required water closets in low-security prisons.

4. Employee REST ROOM facilities shall be separate from inmate facilities. Employee fixture requirements shall be determined from the employee fixture requirements in Table 9-1.

5. One water closet and lavatory shall be provided for each 75 visitors. Unisex facilities are permitted for visitor REST ROOMS. Urinals shall not be installed in unisex REST ROOMS.

TABLE 9-13

Mercantile—Retail Stores, Shops, Sales Rooms, Shopping Malls Exceeding 5,000 Square Feet of Floor Area. Customers Only.

Occupancy load is composed of 50% of each sex.

Males			Females		
Number OF CUSTOMERS	Water Closets	Urinals Lavatories	Number OF CUSTOMERS	Water Closets	Lavatories
1 - 50	1	0 1	1 - 50	1	1
51 - 100	1	1 1	51 - 100	2	1
101 - 200	2	1 1	101 - 200	3	1
201 - 300	3	1 2	201 - 300	4	2
301 - 700	4	1 3	301 - 700	5	3

1. In addition, 1 water closet and 1 lavatory shall be provided for each additional 400 persons of each sex, or fraction thereof, starting at 701.

2. One drinking fountain is required for each 1,000 persons. At least 1 drinking fountain per floor is required.

3. One service sink per floor is required.

4. Urinals may be substituted for not more than 1/2 of the required number of water closets.

5. Each public REST ROOM shall have at least 1 floor drain.

6. Employee fixture requirements shall be determined from the employee fixture requirements in Table 9-14.

7. Facilities for customers shall not be required in stores of less than 5,000 square feet. In shopping centers and shopping malls, required facilities shall be based on total square footage and facilities may be installed in individual stores or in a central toilet area if the distance of travel from the main entrance of any store does not exceed 500 feet.

8. The total square footage of the theaters, restaurants and other assembly use groups located within malls may be subtracted from the total square footage when determining occupant load. Fixture requirements for these assembly use groups shall be determined from the respective tables relating to assembly use groups.

9. Following determination of total occupant load in mercantile establishments of more than 5,000 square feet in floor area, the total employee count may be subtracted from the total occupant load to determine required customer facilities.

TABLE 9-14

Mercantile—Retail Stores, Shops, Sales Rooms, Shopping Malls Employees Only.

Occupant load is composed of 50% of each sex.

One unisex rest room consisting of 1 water closet and 1 lavatory is permissible in buildings with a total of 15 or fewer employees.

Urinals shall not be installed in unisex REST ROOMS.

Males			Females		
Number OF EMPLOYEES	Water Closets	Urinals Lavatories	Number OF EMPLOYEES	Water Closets	Lavatories
1 - 7	1	0 1	1 - 7	1	1
8 - 15	1	1 1	8 - 15	2	1
16 - 35	2	1 1	16 - 35	3	1
36 - 55	3	1 2	36 - 55	4	2
56 - 80	4	1 2	56 - 80	5	2
81 - 110	5	1 3	81 - 110	6	3

1. In addition, 1 water closet and 1 lavatory shall be provided for

each additional 45 persons of each sex, or fraction thereof, starting at 111.

2. One service sink per store is required. This requirement shall be waived if 75% of the floor area of the store is carpeted.

3. Urinals may be substituted for not more than 1/2 of the required number of water closets.

4. Each public REST ROOM shall have at least 1 floor drain.

5. ONE DRINKING FOUNTAIN IS REQUIRED FOR EACH 1,000 PERSONS. AT LEAST 1 DRINKING FOUNTAIN PER FLOOR IS REQUIRED.

6. THE REQUIREMENTS FOR EMPLOYEE PLUMBING FIXTURES SHALL BE WAIVED FOR INDIVIDUAL STORES IN SHOPPING MALLS WHEN BOTH OF THE FOLLOWING CONDITIONS ARE MET:

A. THE NUMBER OF EMPLOYEES IS 5 OR LESS PER SHIFT.

B. ALTERNATE REST ROOM FACILITIES, LOCATED WITHIN THE SHOPPING MALL ON THE SAME FLOOR, ARE AVAILABLE AND ARE WITHIN A TRAVEL DISTANCE OF 500 FEET OR LESS.

7. SEPARATE EMPLOYEE FACILITIES MAY BE WAIVED WHEN BOTH OF THE FOLLOWING CONDITIONS ARE MET:

A. THE NUMBER OF EMPLOYEES IS ADDED TO CUSTOMER OCCUPANCY LOAD.

B. EMPLOYEE-CUSTOMER REST ROOMS ARE AVAILABLE TO OCCUPANTS AT ALL TIMES.

TABLE 9-15

Hotels and Motels

Water Closets	Lavatories	Bath/Shower
1 per guest room	1 per guest room	1 per guest room

One service sink per floor is required.

TABLE 9-16

Residential—Dormitories

Occupant load is composed of 50% of each sex, unless designated otherwise.

Male			Female		
Number OF OCCUPANTS	Water Closets	Lavatories	Number OF OCCUPANTS	Water Closets	Lavatories
1 - 8	1	1	1 - 8	1	1
9 - 16	2	1	9 - 16	2	1
17 - 24	3	2	17 - 24	3	2
25 - 32	4	2	25 - 32	4	2

1. In addition, 1 water closet and 1 lavatory shall be provided for each additional 8 persons of each sex, or fraction thereof, starting at 33

2. Urinals may be substituted for not more than 1/2 of the required number of water closets.

3. One bathing facility for each sex shall be provided for every 8 persons or fraction thereof.

4. One drinking fountain is required for each 75 persons.

5. One laundry facility is required for each 50 persons.

6. One service sink per floor is required.

TABLE 9-17
Residential—Multifamily (More Than Two Units)

Water Closets	Lavatories	Baths/Shower	Kitchen Sinks
1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit

One laundry facility shall be provided for each 20 dwelling units or fraction thereof. Laundry facilities may be located in the same building as the dwelling units or in a community building accessible to the tenants of the complex.

TABLE 9-18
Residential—1 and 2-Family Dwellings

Water Closets	Lavatories	Bath/Shower	Kitchen Sinks	Laundry Facilities
1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit

TABLE 9-19
Storage

Occupant load is composed of 50% of each sex.

One unisex REST ROOM consisting of 1 water closet and 1 lavatory is permissible in buildings with a total of 15 or fewer occupants.

Urinals shall not be installed in unisex REST ROOMS.

Males			Females		
Number of Occupants	Water Closets	Urinals	Number of Occupants	Water Closets	Lavatories
1 - 50	1	0	1 - 50	1	1
≥ 51 - 100	1	1	≥ 51 - 100	≥ 2	1

1. In addition, 1 water closet and 1 lavatory shall be provided for each additional 100 persons of each sex, or fraction thereof, starting at 101.

2. Urinals may be substituted for not more than 1/2 of the required number of water closets.

3. One drinking fountain is required in each building. Refer to Sections 610 and 905 of the Uniform Plumbing Code, as adopted in Section 1422.01.

4. One service sink is required in each building.

5. Plumbing fixture requirements shall be waived when equivalent facilities are located in adjacent buildings under the same ownership, lease or control, and where the maximum distance of travel from the employee's usual working area to the plumbing facilities does not exceed 500 feet.

TABLE 9-20
Public and Semiprivate Swimming Pools
Governed by the Department of Public Health Rules Promulgated by Authority of Public Act 368 of 1978, as amended, being M.C.L.A. 333.1101 et seq., as amended.

Maximum Bather Capacity*	Number of Showers for Each Sex**	Number of Toilet Fixtures		
		Males		Females
		Water Closets	Urinals	Water Closets
1 - 50	1	2	2	≥ 4
51 - 100	2	2	2	≥ 4
101 - 200	3	2	3	≥ 5
201 - 300	4	2	3	≥ 5
301 - 500	5	3	3	≥ 6
501 - 1000	6	3	4	≥ 7

* The number of fixtures for a larger bather capacity shall be extrapolated.

** At a swimming pool used by classes, 1 shower for every 3 people in the largest class shall be provided for each sex.

1. A toilet room shall have 1 lavatory for every 2 toilet fixtures, including urinals.

2. Each public REST ROOM shall have at least 1 floor drain.

U.P.C. Section 1002—Unlawful Connections is hereby amended by adding a new subsection (e) as follows:

(e) Water piping comprised of dissimilar metals shall not be joined together unless separated by approved dielectric insulators.

U.P.C. SECTION 1007(e) IS HEREBY AMENDED BY DELETING CPVC AND PB FROM THE FIRST SENTENCES.

U.P.C. Section 1008—Installation, Inspection and Testing is hereby amended by adding a new subsection (g) as follows:

(g) All water service pipes installed between City water mains and City water meters shall be installed, inspected and maintained by the Board of Water and Light in accordance with all applicable City codes.

U.P.C. Section 1107—Cleanouts is hereby amended by changing subsection (a) to read as follows:

(a) Cleanouts shall be placed inside the building near the connection between the building drain and the building sewer or installed outside the building at the lower end of the building drain and extended to grade. Additional building sewer cleanouts shall be installed at intervals not to exceed fifty feet in a straight run and for each aggregate change in direction exceeding 135 degrees.

U.P.C. Section 1312—Venting of Water Heaters—General is hereby amended by adding a new subsection (i) as follows:

(i) Single wall metal pipe used as a connector shall not originate in any unoccupied space.

1422.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

CHAPTER 1426 Mechanical Code

1426.01 Adoption of 1991 edition of Uniform Mechanical Code: scope; references and citations; conflict of laws.

1426.02 Mechanical Board: establishment; composition; appointments; terms.

1426.03 Authority of Board.

1426.04 Mechanical work; and license registration of license required; exceptions.

1426.05 Permit required. (Repealed)

1426.06 Amendments to Uniform composition; Mechanical Code.

1426.99 Penalty.

CROSS REFERENCES

Heat and heating companies in home rule cities—see M.C.L.A. Sec. 117.4f

Ventilation—see M.C.L.A. Secs. 125.419, 125.454, 125.461, 125.471, 125.489

Repair of heating apparatus—see M.C.L.A. Sec. 125.471

Legislative action by municipalities to correct heating and ventilating violations—see M.C.L.A. Sec. 125.501a

General Municipal authority re licenses—see CHTR. Art. VIII, Ch. 1

Duty of mechanics to report evidence of crime—see TRAF. 5.7

Noise from air conditioning systems—see GEN. OFF. 654.07(k)

1426.01 ADOPTION OF 1991 EDITION OF UNIFORM MECHANICAL CODE; SCOPE; REFERENCES AND CITATIONS; CONFLICT OF LAWS.

(a) That certain code, an official copy of which is on file in the office of the City Clerk, being marked and designated as the *Uniform Mechanical Code*, 1991 edition, including Appendix Chapter B, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials, is hereby adopted and made a part of the Building Code of the City pursuant to the authority vested in the City by M.C.L.A. 125.1508; M.S.A. 5.2949(8), and the Home Rule Act (M.C.L.A. 117.1 et seq.; M.S.A. 5.2071 et seq.), as amended. Such Mechanical Code provides regulations for the erection, installation, alteration, repair, relocation, replacement, addition to, use and maintenance of heating, ventilating, comfort cooling and refrigeration systems, incinerators and other miscellaneous heat-producing appliances.

Each and all of the regulations, provisions, penalties, conditions and terms of such *Uniform Mechanical Code* shall be deemed adopted and made a part hereof by reference as if fully set out in this chapter, save and except such provisions as may be hereinafter amended or repealed.

(b) References throughout these Codified Ordinances to the *Uniform Mechanical Code* shall be deemed to mean the *Uniform Mechanical Code* adopted in subsection (a) hereof and it may be so cited. References throughout these Codified Ordinances to the Mechanical Code of the City shall be deemed to mean this chapter, including the *Uniform Mechanical Code* adopted in this chapter, and it may be so cited. References throughout these Codified Ordinances to the Building Code of the City shall be deemed to mean all of the provisions of Titles Two and Four of Part Fourteen of these Codified Ordinances, including the technical codes adopted therein by reference, and it may be so cited. References throughout these Codified Ordinances to the Building and Housing Code of the City shall be deemed to mean all of Part Fourteen of these Codified Ordinances, and it may be so cited.

(c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the *Uniform Mechanical Code*, herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the *Uniform Mechanical Code*, herein adopted, and State law, including rules and regulations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the *Uniform Mechanical Code*, herein adopted,

and a provision of any other standard technical code adopted by reference by the City, the stricter or higher standard shall control. (Ord. 806. Passed 7-31-89.)

1426.02 MECHANICAL BOARD; ESTABLISHMENT; COMPOSITION; APPOINTMENTS; TERMS.

There is hereby established a Mechanical Board in and for the City. The Board shall be composed of five members appointed by the Mayor with the advice and consent of Council. Except as otherwise provided, four members shall be licensed mechanical contractors representing the following groups:

- (a) Residential heating and air conditioning contractors;
- (b) Commercial heating and air conditioning contractors;
- (c) Refrigeration contractors; and
- (d) Industrial mechanical contractors.

The fifth member shall be any resident of the City. The Mayor, with the advice and consent of Council, may appoint a second unlicensed person to serve on the Board when a licensed mechanical contractor is not available. Not more than two unlicensed persons shall serve on the Board at the same time. Members shall serve for terms of four years each and such terms shall commence on July 1 of the calendar year.

All vacancies thereafter are to be filled by the Mayor with the advice and consent of Council. The Chief Mechanical Inspector shall serve as a liaison between the Director of Building Safety and the Board and is hereby authorized to attend all meetings in a nonvoting capacity. The Chief Mechanical Inspector shall also serve as Board Secretary.

(Ord. 806. Passed 7-31-89.)

1426.03 AUTHORITY OF BOARD.

The Mechanical Board shall consider all proposed amendments of this Mechanical Code, promulgated to safeguard the standards of mechanical construction within the City, and shall submit the same to the Mayor and Council.

If a vacancy occurs in the office of the Chief Mechanical Inspector, the Board may submit names of persons to the Personnel and Training Department for consideration. The City may appoint any qualified person to the office of Chief Mechanical Inspector, whether or not the person was on the list submitted by the Board. The Chief Mechanical Inspector shall have six years of experience in the mechanical construction industry as a mechanical contractor or engineer. The Chief Mechanical Inspector shall be licensed as a contractor in one or more of the following categories:

- (a) Hydronic heating and cooling and process piping;
- (b) Heating, ventilation and air conditioning equipment;
- (c) Limited service, heating or refrigeration; or
- (d) Unlimited service, heating or refrigeration.

(e) THE CHIEF MECHANICAL INSPECTOR SHALL MAKE APPLICATION FOR REGISTRATION AS A MECHANICAL INSPECTOR AND PLAN REVIEWER IN ACCORDANCE WITH P.A. 54 OF 1986 WITHIN THIRTY (30) DAYS OF EMPLOYMENT.

In addition to the powers provided to advisory boards by the City Charter, the Board shall advise the Chief Mechanical Inspector on all matters pertaining to rules and regulations and to interpretations and application of this chapter. Appeals from decisions, rules, regulations and interpretations of this chapter shall be submitted to the Building Board of Appeals established pursuant to Section 204 of the *Uniform Building Code*.

(Ord. 806. Passed 7-31-89.)

1426.04 MECHANICAL WORK; LICENSE AND REGISTRATION OF LICENSE REQUIRED; EXCEPTIONS.

(a) No person shall engage in the business of, or contract for or perform, mechanical work, unless the person or a designated employee or officer thereof has a current State mechanical contractor's license issued by the State Department of Labor, and has first registered the license with the Building Safety Division, except that any person employed by and working under the direction of a holder of a valid State mechanical contractor's license, registered in the City, shall not be required to register a license to perform any mechanical work in the City.

Registration forms shall be approved by the Board. A licensed mechanical contractor shall be registered with the Building Safety Division only after payment of a fee as established by resolution of Council.

Each registration with the Building Safety Division shall expire on the same date the State mechanical license expires.

(b) If a partnership, association or corporation is registered with the City pursuant to subsection (a) hereof, in the name of a designated employee or officer qualified by being the holder of a State mechanical contractor's license, and that employee or officer ceases to be an employee or officer of such partnership, association or corporation, the partnership, association or corporation shall have ninety days after the registrant ceases to be an officer or employee in which to designate and register another officer or employee under subsection (a) hereof. The Building Safety Division shall be notified, in writing, of the designation. If an individual properly registered pursuant to subsection (a) hereof ceases to do business as a mechanical contractor and sells his or her business interest to another individual, partnership, association or corporation, the buyer shall have ninety days to register or to designate register another person, employee or officer under subsection (a) hereof. The Building Safety Division shall be notified, in writing, of the designation.

(c) Nothing contained in this section shall prohibit any bona fide owner from personally doing any work regulated by this chapter in his or her own home or on the premises at which he or she presently resides or is about to reside, provided that such owner:

1. Furnishes a signed affidavit;
2. Applies for and secures a permit;
3. Pays the required fees;
4. Does the work in accordance with this chapter;
5. Does the work himself or herself;
6. Applies for inspections; and
7. Receives the approval of the Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE.

Homeowners' privileges shall extend to single-family residences only and shall not apply to any residence or structure from which any monetary gain is being received or which is being used for commercial purposes.

Only one homeowners' permit shall be issued for any one purpose in a twelve-month period.
(Ord. 806. Passed 7-31-89.)

1426.05 PERMIT REQUIRED. (REPEALED)

(EDITOR'S NOTE: Section 1426.05 was repealed by implication by Ordinance 806. passed July 31, 1989.)

1426.06 AMENDMENTS TO UNIFORM MECHANICAL CODE.

The *Uniform Mechanical Code* adopted by Section 1426 01 is hereby amended as follows:

U.M.C. Section 203. Board of Appeals is hereby deleted.

U.M.C. Section 204. Violations is hereby amended by adding the following:

Any violation of this Mechanical Code OF which the Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE has given written notice to the permit holder shall be corrected within fifteen days of receipt of such notice. Failure to comply with this section is a violation of this Mechanical Code and shall subject the violator to all the penalties provided for by these Codified Ordinances.

U.M.C. Section 303. Permit Issuance is hereby amended by adding a new paragraph to subsection (a) and by amending subsection (d), as follows:

(a) *Issuance.* The Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE may withhold issuing new permits to a licensed contractor when it has been determined that work accomplished under a previous permit is in violation of this Mechanical Code and has not been corrected within fifteen days from the date of written notice of such condition.

Subsection (d) Expiration is hereby amended to read as follows:

(d) *Expiration.* Every permit issued by the Building Safety Division under this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced, and an inspection completed, within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned, at any time after the work is commenced, for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided that no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

U.M.C. Section 304. Fees is hereby amended by changing subsection (b) to read as follows:

(b) *Permit Fees.* All fees, the collection of which is provided for in this chapter, shall be set by resolution of Council.

U.M.C. Section 504. Installation is hereby amended by adding THREE subsections as follows:

(g) *Fuel Oil Piping.* Fuel oil piping shall be installed in accordance with National Fire Protection Association (NFPA) Standard No. 31 for the installation of oil burning equipment.

(h) *Storage Tanks and Valves.* Storage tanks and valves shall be installed in accordance with NFPA Standard No. 30. Existing INTERIOR oil storage tanks whose use has been discontinued shall be removed unless approved by the Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE.

(I) THE MICHIGAN ENERGY CODE IS HEREBY ADOPTED BY REFERENCE.

U.M.C. SECTION 509. ELECTRICAL CONNECTIONS IS HEREBY DELETED AND A NEW SECTION IS ADDED AS FOLLOWS:

EQUIPMENT REGULATED BY THIS CODE REQUIRING ELECTRICAL CONNECTIONS OF MORE THAN 50 VOLTS SHALL HAVE A POSITIVE MEANS OF DISCONNECT ADJACENT

TO, AND IN SIGHT OF EQUIPMENT SERVED (DISCONNECT MUST BE ATTACHED TO FORCED-AIR-TYPE CENTRAL FURNACES).

A 120-VOLT RECEPTACLE SHALL BE LOCATED WITHIN 25 FEET OF THE EQUIPMENT FOR SERVICE AND MAINTENANCE PURPOSES. THE RECEPTACLE NEED NOT BE LOCATED ON THE SAME LEVEL AS THE EQUIPMENT. LOW-VOLTAGE WIRING OF 50 VOLTS OR LESS WITHIN A STRUCTURE SHALL BE INSTALLED IN A MANNER TO PREVENT PHYSICAL DAMAGE.

U.M.C. Section 512. Miscellaneous Gas-fired Appliances is hereby added to read as follows:

(a) *Temporary Heating During Construction.* Fuel-fired heaters for temporary heating during construction shall be of a type approved by the Division of Building Safety and operated in a safe manner. All heating equipment, other than approved portable units used during construction, shall be wired and operated so that all controls function in a normal manner.

(b) *Furnace Cement.* Furnace cement shall not be used for the repair of heat exchangers. Furnace cement may be used for the sealing of lints where required for cast iron heat exchangers. Welding repair of heat exchangers shall be in accordance with the manufacturer's recommendations or as approved by the Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE.

(c) *Fuel-fired Heat Exchangers.* Where all or a portion of the ventilating air entering a heat exchanger is taken directly from the outside at winter design temperature, the heat exchanger through which such air passes shall be constructed of an approved noncorrosive material, unless provisions are made to assure a mixture temperature of not less than fifty-five degrees Fahrenheit, or as approved by the manufacturer.

U.M.C. Section 602.(a) Location is hereby amended by adding the following:

When approved by the Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE, the total quantity of required combustion air may be provided by a single duct when discharged within twelve inches of the floor.

U.M.C. Section 704. Prohibited Installations is hereby amended by adding ITEM 8 thereof to read as follows:

8. Within ten feet of the termination of a laundry chute. This paragraph shall also apply to hot water heaters.

U.M.C. Section 902.(c) Vent Connector is hereby amended by adding the following:

Connectors to gas, oil or solid fuel burning appliances shall not be buried underground or placed in underground raceways.

U.M.C. Section 904. Location and Support of Venting Systems Other Than Masonry Chimneys is hereby amended by adding the following:

That portion of an exterior B-1 vent below the eave line shall be encased in an insulated chase.

That portion of a B-1 vent that penetrates an attic area shall be provided with an insulation stop one inch from the vent which extends from the fire stop to a point four inches above insulation.

U.M.C. SECTION 913. MASONRY CHIMNEYS IS HEREBY AMENDED BY ADDING A NEW SUBSECTION (C) AS FOLLOWS:

(C) ALL MASONRY CHIMNEYS SHALL BE LINED WITH

APPROVED LINERS COMPATIBLE WITH CONNECTED EQUIPMENT.

U.M.C. Section 913.(b) Gas Venting Into Existing Masonry Chimneys is hereby amended by deleting the second paragraph of Item 6 and adding the following SENTENCE TO ITEM 6 AND ADDING A NEW ITEM 7:

Chimneys shall be lined with an approved liner.

7. When an appliance is disconnected from an existing multiple appliance chimney, the internal area of the chimney will be reduced in accordance with Section 910.(2) to accommodate the remaining connected appliances.

U.M.C. Section 1002.(c) Joints and Seams of Ducts is hereby amended by deleting the second and third paragraphs and adding the following:

Joints and seams of round ducts shall be substantially airtight. Slip joints shall have a contact lap of at least one and one-half inches and shall be individually fastened in an approved manner. Tapes used for sealing joints shall not be more combustible than approved flameproof fabric.

U.M.C. Section 1002.(d) Metal is hereby amended by deleting exception number 1 and adding the following:

1. Ducts, plenums and fittings for systems not exceeding 2,000 CFM may comply with Table No. 10-C.

U.M.C. Section 1004.(b) Factory-made Air Ducts is hereby amended by adding the following:

Class 1 and 2 factory-made air ducts (rigid and flexible) shall be fabricated, installed, supported and sealed using the standards set forth in the latest edition of the manufacturer's installation instructions or the Sheet Metal and Air Conditioning Contractors National Association, Inc., Fiberglass Manual, Duct Construction Standards.

U.M.C. Section 2003.(k) Performance Test is hereby deleted and a new subsection added as follows:

(k) *Performance Test.* Upon completion and before final approval of the installation of a ventilation system serving commercial food heat-processing equipment, a performance test by a certified balancing contractor may be required when deemed necessary by the Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE to verify the rate of air flow and proper operation as specified in this chapter.

U.M.C. Chapter 20 Commercial Hoods and Kitchen Ventilation is hereby amended by adding a new Section 2005 as follows:

Section 2005. Michigan Department of Public Health Rules. Wherever any provision of this chapter conflicts with the State of Michigan administrative rules for the design of commercial hoods and kitchen ventilation, the more restrictive requirements, as determined by the Chief Mechanical Inspector OR HIS AUTHORIZED REPRESENTATIVE, shall prevail.

U.M.C. Appendix B. Section 2212. Material for Gas Piping is hereby amended by deleting the first paragraph and adding the following:

Pipe used for the installation, extension, alteration or repair of gas piping shall be standard weight wrought iron or steel (galvanized or black). Approved PVC, PE or copper (Type K or L) may be used in exterior buried piping systems.

1426.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if

no specific penalty is provided.)

JAMES D. BLAIR, CITY CLERK

BY THE COMMITTEE OF THE WHOLE

By Councilmember Benavides

Resolved by the City Council of the City of Lansing that a substitute Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 1042, Section 1042.04, for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System and eliminating the Lawn Sprinkling Discount be placed on order of immediate passage

By Councilmember Benavides

Resolved by the City Council of the City of Lansing that a substitute Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 1042, Section 1042.04, for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System and eliminating the Lawn Sprinkling Discount be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

By Councilmember Canady

To give the Ordinance Immediate Effect

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 852

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042, SECTION 1042.04, FOR THE PURPOSE OF PROVIDING FOR AN INCREASE IN CERTAIN RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM AND ELIMINATING THE LAWN SPRINKLING DISCOUNT.

The City of Lansing ordains:

Section 1. That Part 10, Chapter 1042.04 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1042.04 AMOUNTS; BILLING.

(a) **Method of Charging.** The rates and charges for services furnished by the City sewage disposal system shall be levied upon each lot or parcel of land, building or premises having any sewer connection with the system, on the basis of the quantity of water used therein, as the same is measured by meters therein used, or in the absence thereof by such equitable method as shall be determined by the Director of Public Service with the approval of Council.

Such charges shall be collected at the same time and in the

same

manner as provided for the payment of charges for water used, except in cases where the character of the sewage from a manufacturing or industrial plant, building or premises is such that unreasonable additional burden is placed upon the system greater than that imposed by the average sewage delivered to the system plant. In such case, the additional cost of treatment created thereby shall be an additional charge over the regular rates set forth in subsection (b) hereof, or the City may, if it deems it advisable, compel such manufacturing or industrial plant, building or premises to treat such sewage in such manner as specified by the City before discharging such sewage into the sewage disposal system.

Rates for all users obtaining all or part of their water supply from sources other than the City's water system may be determined by gauging or metering the actual sewage entering the system or by metering the water used, in a manner acceptable to Council. The commodity charge for resident users shall be computed on the basis of 900 cubic feet per month per customer, where gauging or metering is not practical.

Council may classify the users of the system according to the quantity and quality of water used and charge such rates to users in each class as it may deem reasonable.

(b) **Schedule of Regular Rates.** The monthly rate to be billed for use of the system shall be as follows for all users within the sanitary sewer service area of the City, except as otherwise provided in this section:

(1) BILLING AND COLLECTION CHARGE.

(A) EXCEPT FOR WESTSIDE WATER DISTRICT CUSTOMERS, ONE DOLLAR AND SEVENTY-FOUR CENTS (\$1.74) PER CUSTOMER, PER MONTH, ASSOCIATED WITH METER READING AND BILLING EXPENSES CHARGED BY THE BOARD OF WATER AND LIGHT.

(B) WESTSIDE WATER DISTRICT CUSTOMERS SHALL BE CHARGED ACTUAL CUSTOMER COST ASSOCIATED WITH METER READING AND BILLING PER QUARTERLY BILL.

(2) **COMMODITY CHARGE.** ALL CLASSIFICATIONS OF CUSTOMERS SHALL BE CHARGED ONE DOLLAR AND FORTY-SEVEN CENTS (\$1.47) PER 100 CUBIC FEET OF WATER USAGE.

(3) INFILTRATION AND INFLOW CHARGE.

(A) RESIDENTIAL CLASSIFIED USERS SHALL BE CHARGED SEVENTY TWO CENTS (\$0.72) PER 100 CUBIC FEET OF WATER USAGE FOR ASSOCIATED INFILTRATION AND INFLOW COST.

(B) COMMERCIAL AND INDUSTRIAL CLASSIFIED USERS SHALL BE CHARGED AS FOLLOWS:

(1) TWO DOLLARS AND SEVENTY-TWO CENTS (\$2.72) PER CUSTOMER PER MONTH.

(2) THIRTY-THREE CENTS (\$0.33) PER 100 CUBIC FEET OF WATER USAGE FOR ASSOCIATED INFILTRATION AND INFLOW COST.

(4) **Delayed payment charge.** A delayed payment charge of five percent of the unpaid balance, excluding delayed payment charges, shall be added to any bill not paid on or before the due date shown thereon.

(5) **Extra-strength waste surcharge for BOD.** Twenty-one cents (\$0.21) per pound on all contributed volume in excess of 2,500 pounds per day.

(6) **Extra-strength waste surcharge for suspended solids.** Nine cents (\$0.09) per pound on all contributed volume in excess of 1,500 pounds per day.

(7) **Extra-strength ammonia nitrification (NH³).** Twenty- two

cents (\$0.22) per pound on all contributed volume in excess of 500 pounds per day.

(8) **Service charge.** Four dollars and seventy-five cents (\$4.75) per commercial and industrial classified users per month to recover the remaining allocated customer cost associated with the industrial pretreatment program (IPP).

(9) **Industrial and commercial monitoring charges:**

A. Composite sample. Two hundred twenty-six dollars (\$226.00) each.

B. Grab sample. Ninety dollars (\$90.00) each.

C. Laboratory analysis. Thirty-two dollars (\$32.00) each.

(c) **Effective Date.** The rates set forth in this section shall be effective on July 1, 1992, except as otherwise provided. A billing covering use of the system before and after the effective date of a rate change shall have such bill prorated, based upon the average use per day and the number of days within such billing period, at the rate then in effect.

(d) **Collection by Board of Water and Light.** The Board of Water and Light is hereby designated as the billing and collecting agent for the City for the purposes of this chapter and is reimbursed from the funds collected for the expense of such billing and collecting.

(e) **Suburban Users.** Suburban users of sewer services located outside of the corporate limits of the City who have connection with the sewerage system of the City shall pay for such services such additional rate to that charged to users within the City as Council may determine to cover additional costs to the City of transportation of waste water, administrative costs and depreciation of investments by the City in sewerage facilities.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Canady

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford, a resolution of tribute to Mary Pool, and a request that he be allowed to present it to Mrs. Pool under Special Ceremonies

HANDLED AS RESOLUTION # 345 AND PRESENTED TO MRS. POOL DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Ford, a letter from Don and Virginia DeCair of 1602 W. Rundle regarding the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND TO THE COMMITTEE CHAIRMAN FOR RESPONSE BY JUNE 24, 1992

3/ From Councilmember Belen, a resolution transferring an Industrial Facilities Exemption Certificate (CRD-7-84) from Dr. Phillip Baldino to Dr. Michael Dionise at 606-616 S. Grand St.

HANDLED AS RESOLUTION #346

4/ From Councilmember Brockwell a request that Michigan Retailers Association be allowed to make a presentation under the Special Ceremonies portion of the agenda.

THE RULES WERE SUSPENDED AND REPRESENTATIVES

FROM MICHIGAN RETAILERS ASSOCIATION MADE A PRESENTATION DURING THAT PORTION OF THE AGENDA RESERVED FOR SPECIAL CEREMONIES

5/ From Councilmember Schmidt a letter from Whitey Loveall regarding special assessments for her Son's property at 6500 S. Aurelius Road

REFERRED TO THE CITY ATTORNEY AND
THE CITY ASSESSOR

6/ From Councilmember Schmidt a request for the Olds Museum that they be recognized as having non-profit status

REFERRED TO THE CITY ATTORNEY

7/ From Councilmember Benavides a petition signed by 45 residents of the 3rd Ward, in the Colonial Village neighborhood requesting that a Stop sign be installed at the intersection of Holly Way and Chatham

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
THE TRAFFIC BOARD

EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd announced that the North Lansing Heritage Festival will be held Saturday, June 27, 1992. Anyone wishing to volunteer, or participate may call Thelma Olsteen at 371-3155.

COUNCILMEMBER'S COMMENTS

Councilmember Beal asked if the Public Service Department is enforcing the requirement that no recyclable materials be put into regular Green Bags for pickup? She said that she is hearing more and more concerns raised among her constituents about the state of the City Market. She asked that the Committee of the Whole look at the current condition of the Market and talk to the Mayor's office to see what they can do to bring this issue to the forefront.

Councilmember Ford asked the Mayor's Office for a response to the proposal of the Westside Neighborhood Association that they take over the mowing of the Boulevards in their neighborhood at a reduced cost to the City. He announced that the Annual Main Street Reunion will be this Saturday from 10:00 A.M. to dusk. Last Friday and Saturday was the John Salley X Factor Basketball Camp. He said the Camp was well attended, and John Salley was very appreciative of the resolution of tribute adopted by the City Council on June 15, 1992 and of the Key to the City. Councilmember Ford passed out Camp Tee-shirts from Salley.

Councilmember Brockwell said that he believes the mowing schedule is on a 20 day rotation basis. He suggested that WSNA adopt a Boulevard and "Just Do It". He thanked Greg Koesel and Howard McCaffrey for the study on the rates for the sewer system. He thanked Councilmember Ford for his suggestions for sewer system rates and members of the Capital Hill Neighborhood Association for helping with the Paint Blitz 1992. They painted the home of the Miller's, who were very grateful for the work done on their behalf.

CITIZEN'S COMMENTS

Homer Smith of 448 McPherson asked if the City is paying money to have the Boulevards in the Westside Neighborhood Association area mowed by City employees or by subcontractors. Would this

money continue to be paid out for a service that would no longer be provided if the WSNA did the mowing themselves? He gave Council pictures of St. Joseph Park, and said the grounds are very unkempt. There are many different unfinished projects. The property tax rate in this area is high and they do not feel they are getting their money's worth. He asked the Mayor's office to look into this problem.

Lloyd Teets of 116 East Elm St. stated his belief in freedom of speech. He said that he has been escorted out of Council Chambers twice for exercising that belief. He claims this is the best place he has ever been thrown out of. He said that he has been found not guilty in one trial involving the freedom of speech issue and he has another coming up in July. He credited the efforts of Walter Jones and himself for being the catalyst that caused Council to reevaluate their position on wastewater treatment rates. He said decisions, such as this one, should be made on the best available information. The problem is that Council Rule #19 limits freedom of speech and the free flow of information to the Council. He said that he is looking forward to seeing Rule #19 changed and to having a more open form of government.

Dr. Earl T. Pauley, Jr. of 601 N. Cedar said that we should band together and send teachers a message that they must give special attention to our children especially ones from low income families.

Douglas Fairbanks of 107 May St. commented on the bad weather at the Art Fair last weekend. He thanked Councilmember Schmidt for informing everyone of the barbecue at the Frandor Kroger store last Saturday. It was a great barbecue. He thanked Councilmember Benavides for the work he does on behalf of Cristo Rey.

Harold Leeman of 529 N. Francis asked for a response to letters that he wrote which were referred to the Committee of the Whole. One on May 28th, and one on June 12th, 1992. He requested that the response be in writing and indicate why they believe him to be right, or, why they believe him to be wrong. He thanked Howard McCaffrey and the Public Service Department for taking quick action to resurface Leslie Street between Vine and Hayford. He congratulated Doug Finley for his early retirement and thanked the State Journal for the article they ran. He said he hopes to see more City related issues being reported in the Journal.

Paul Scott of 412 W. Kilborn said the State Journal should have checked out both sides of the story surrounding the City Market. He attends the Market Board meetings, and feels that the Journal did not give all the information they could have.

ADJOURNED 8:50 P.M.
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

235

Proceedings, June 29, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
June 29, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation was led by Councilmember Benavides and the Pledge of Allegiance was led by Amber L. McCord

MINUTES

By Councilmember Ford

To approve the Printed Council Proceedings of June 1, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a list of Carry Forwards 1992-1993

2/ From Councilmember Benavides a FY 1992 Transfer

3/ From Councilmember Ford a resolution of tribute to Ernest Brown

4/ From Councilmember Brockwell a letter to the Michigan Tax Tribunal on behalf of Commerce Center Building for inclusion with VIII B.

5/ From Councilmember Brockwell a letter from the Tri-County Regional Planning Commission

6/ From Councilmember Canady a notice of cancellation of the next meeting of the Cable Advisory Board scheduled for July 1, 1992

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-4-92, 4301 South Pennsylvania request from Chris Baryames for rezoning from "E-2" Local Shopping District to "F" Commercial District

Chris Baryames asked for approval of his request and said they would re-model the building if it is approved. Councilmember Canady said this request will be considered at the Physical Development Committee meeting this Wednesday at 3:00.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

B. To consider the revocation of Commercial Facilities Exemption Certificate #83-005 granted to Rexford Carl, Jr. at 503 E. Grand River Ave.

There were no speakers for this Public Hearing

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

PUBLIC COMMENT

Therese Porn, Chairperson of the Cable Advisory Board thanked Council for approving their recommendations and said she will be available if anyone has questions.

Diane Brewer, Festival Manager of the Capital City Riverfest said she is available in case of questions.

Harold Leeman of 529 N. Francis asked for a discussion of the Settlement of Special Assessments from the City Attorney's Office and asked if any of the Councilmember's attended the competition in British Columbia of the Main Tapping Team from the Board of Water and Light for which Councilmember Belen is presenting a tribute? Councilmember Belen responded that she attended the competition, however, she paid her own way and can present the receipts if anyone would like to see them.

Lloyd Teets of 116 E. Elm St. complimented Councilmember Belen for attending the competition and keeping an eye on the Board of Water and Light. He also commended her for paying her own way.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Notice from the Department of Social Services of Licenses for Foster Family Group Homes for Children issued to:

- Thornton & Rose Johnson of 3331 Viking
- Sammie & Johnnie George of 1543 Massachusetts Ave.

REFERRED TO THE MAYOR

B. Letters & Notices from Attorney's to the Michigan Tax Tribunal on behalf of the following petitioners:

- W. Harlan Marshall
- Woodbridge Commons
- Canterbury Commons
- Friedland Industries, Inc.
- Coronado Gardens
- Chadburne LDHA

- Village Townhouses
- Family Medical Services of St. Lawrence

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

C. Notice from the Department of Natural Resources of application for a permit to construct a Rivertrail in the Grand River by the City of Lansing Parks and Recreation Department

REFERRED TO THE MAYOR

D. Letter from Waverly School District submitting the 1992 Certification of Tax Levy

REFERRED TO THE MAYOR

E. Z-07-92, 3405-3405½ S. Cedar St. Petition for rezoning from Residential District to Commercial District from John R. Benson of 3021 Westchester to correct an improper zoning

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Z-08-92, 515 W. Hillsdale St. Petition for rezoning from "DM-4" to "D1" District from Jay Gupta of P.O. Box 23121 to improve the existing building for professional office use and to use adjacent vacant land for parking

REFERRED TO THE MAYOR AND THE PLANNING BOARD

G. Notice from the Michigan Municipal League of the annual meeting scheduled for September 24-26th, at the Grand Hotel on Mackinac Island

REFERRED TO THE COMMITTEE OF THE WHOLE

H. 48 Additional letters requesting that Officer Vicki Vaughan be allowed to purchase "Dreamer", the horse

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

I. Letter from First National Acceptance Co. requesting Final Plat Approval for Coachlight Estates #3 Subdivision

REFERRED TO THE MAYOR AND THE PLANNING BOARD

MAYOR MAY COMMENT

Mayor McKane reviewed his letters on tonight's agenda

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #347

June 29, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Lawrence J. Williams
PUBLIC DRIVER: William Martell, Edwin Kingston

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 22, 1992 for Review

RECEIVED AND PLACED ON FILE

C. RESOLUTION #348

June 26, 1992

COUNCIL PRESIDENT JAMES CRAWFORD and MEMBERS OF CITY COUNCIL

RE: RECOMMENDATION FOR SETTLEMENT OF ASSESSMENT APPEALS

MTT DOCKET NOS. 16309, 143238, 143237, 143236

Dear Council President Crawford and Councilmembers:

For tax years 1990, 1991 and 1992, an owner of four (4) commercial properties filed a claim with the Michigan Tax Tribunal challenging the city's assessment on each of these parcels of land. Thereafter, the City filed an Answer to these claims with the Tax Tribunal. Discovery was then undertaken and various information was received from the owner, which in turn was furnished to an outside appraiser who was retained by the City. Based upon this information, together with the City's appraiser's conclusion of value, the following tentative settlement was agreed upon:

Docket No. 143236

Assessment: \$2,122,400

Proposed Settlement: \$1,350,000

Docket No. 143237

Assessment: \$ 406,000

Proposed Settlement: \$ 350,000

Docket No. 143238

Assessment: \$ 640,000

Proposed Settlement: \$ 400,000

Docket No. 163809

Assessment: \$ 218,793

Proposed Settlement: \$ 218,793

Based upon a review of this tentative settlement by the Assessor's Office and the Ways and Means Committee, it is the recommendation of this office that Council approve the settlement and provide the Law Department with authorization to effectuate the same.

As always, if you have any questions, please contact me.

Very truly yours,

Alvan P. Knot, City Attorney

By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

D. Letter from Judge Patrick F. Cherry, 54-A District Court regarding the Court's intent to implement the "Early Reduction in Force" plan including budget reductions, increased fees, and elimination of Court Security

REFERRED TO THE COMMITTEE OF THE WHOLE

E. Letters from the Mayor re:

1. Mayor's Response to Torres Ad Hoc Committee Recommendations

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. Request for Public Hearing Regarding Downtown Mall and Environs Special Assessments

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. LS-6-92, Northeast Corner of Miller Rd. and Picardy St.

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

4. LS-5-92, Southwest Corner Picardy St. and Bliesener St.

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

5. Z-6-92, 226 W. Genesee Street

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #349

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the proposed ordinance to amend the Lansing Code of Ordinances, Part Eight, Title Two, Chapter 812, Section 812.01 for the purpose of decreasing the size of the assessment areas by eliminating Area 3,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be passed.

Signed: Robert Brockwell
Ellen M. Beal
Tony Benavides

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #350

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sallie Redfern filed a claim against the City in the amount of \$400.00 for reimbursement of her insurance deductible for damage to her vehicle alleged to have been caused by a collision with a City vehicle; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends partial approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the City Attorney to make an offer to Sallie Redfern in the amount of \$250.00 to settle her claim, such offer to be valid until close of business on July 10, 1992; and

BE IT FURTHER RESOLVED the City Attorney is further authorized to make payment of this amount after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED if the specified time period elapses without response from the claimant, or if the claimant rejects the settlement offer, the claim of Sallie Redfern in the amount of \$400.00 shall be considered denied.

By Councilmember Ford

Carried unanimously

RESOLUTION #351

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Capital City Riverfest, Inc., has requested a resolution of recognition as a non-profit organization serving the Lansing community; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes Capital City Riverfest, Inc., as a non-profit organization serving the Lansing community.

By Councilmember Ford

Carried unanimously

RESOLUTION #352

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, R. E. Olds Transportation Museum Association, Inc., has requested a resolution of recognition as a non-profit organization serving the Lansing community; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the Association qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the R. E. Olds Transportation Museum Association, Inc., as a non-profit organization serving the Lansing community.

By Councilmember Ford

Carried unanimously

RESOLUTION #353

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined

that the building located at 525 West Sheridan Road, legally described as:

3301 04 102 351
Lot 25, Hylewood Sub

was an unsafe or dangerous building as defined in Section 1461.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 26, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on May 4, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution June 29, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #354

BY THE COMMITTEE ON PUBLIC SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 810 Chicago Avenue, legally described as:

3301 08 479 101
Lot 120, Englewood Park Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 26, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on May 4, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

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BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #355

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has requested clarification of the intent of Resolution #165 adopted March 18, 1991, which established a fee of \$675.00 for the processing of new or transferred Class C liquor licenses; and

WHEREAS, the Clerk has asked whether the same fee is to be charged to applicants for changes in liquor license location, changes in ownership, changes in escrow status, and addition of a dance or entertainment or dance/entertainment permits to an existing liquor license; and

WHEREAS, the Committee on Ways and Means has examined the

administrative workload to process all of these applications and determined that the same fee should be charged;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation from the Committee on Ways and Means to revise Resolution #165, adopted March 18, 1991, by establishing a fee of \$675.00 for all on premise liquor license applications which require local legislative body approval for the following purposes:

- Transfers of ownership, including changes in partners or stockholders,
- Transfers of location,
- Changes in escrow status, and
- Additions of a Dance Permit or an Entertainment Permit or a Dance/Entertainment Permit to an existing license;

AND BE IT FURTHER RESOLVED such fee shall be effective immediately.

June 29, 1992

By Councilmember Benavides

Carried unanimously

RESOLUTION #356

RESOLUTION BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY LANSING CITY COUNCIL

WHEREAS, the Administration has recommended a policy to address the issue of extraordinary parking charges for the purpose of distribution to special event sponsors; and

WHEREAS, the recommended policy has been reviewed by the Public Services Committee; and

WHEREAS, the Public Services Committee recommends adoption of the recommended policy;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby adopts the following policy:

1. That the Lansing Municipal Parking System may support festivals and special events in downtown Lansing by charging for parking between 8:00 A.M. and 9:00 P.M. on weekends and holidays, and to assist with and control parking demands during periods of time when parking is usually free; and
2. That a \$4.00 per entry parking fee may be charged during these periods to all parkers except monthly permit holders; and
3. That Municipal Parking System employees will operate the parking facilities during these periods; and
4. That all operating costs will be recovered by the Municipal Parking System to include employee fringe benefits; and
5. That the funds remaining after cost recovery be awarded to the agency sponsoring the festival or special event; and
6. That the specific facilities covered by this policy shall be the North and South Capitol Parking Garages, City Market lot, North and South Grand Parking Garages, the Lansing Center parking lot, and the 500 block of East Michigan Avenue; and
7. That liability coverage shall be provided by sponsoring

organizations as reviewed by the City Attorney and filed with the City Clerk; and

8. That the types of organizations and/or events covered by this policy shall be non-profit organizations whose primary purpose is to conduct a public festival(s) which provides publicity for the community through the promotion and offering of recreation, entertainment, enrichment and cultural activities with the anticipation that said festival(s) shall require parking organization and control in the public parking garages and lots; and

9. That approval for the implementation of this policy may be provided only by City Council upon the recommendation by the Mayor for specific festival(s) or special events.

By Councilmember Ford

To amend the resolution by changing the fee stated in #2 from \$4.00 to \$3.00

Motion failed by the following vote:

Yeas: 4

Nays: 4

By Councilmember Benavides

To place an affirmative roll on the resolution as written

Adopted by the following vote:

YEAS: 5

NAYS: 3

RESOLUTION #357

BY COMMITTEE ON WAYS AND MEANS

6/29/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Fiscal Year 1993

That the following transfers be approved:

\$12,100.00 from Fund Bal. A/C 101-000000-390001-00000
12,100.00 to Parks & Rec. Bdgt. Ctrl.

A/C 101-783860-992200-00000

(Donation for youth programs at St. Joseph Park, Comstock Park, and Kendon School. (To Memo Accounts 101-783833-707000-90001 (\$10,600) and 101-783833 741000-90001 (\$1,500). Balance from prior year donation.)

\$37,097.00 from Dt. Ct.-Est. Rev.

A/C 760-000000-170001-00000

37,097.00 to Dt. Ct.-Bgt. Ctrl. A/C 760-132201-992200-00000
(Additional funds needed for staff to perform mandated services. Based on increases in fees. (760-132201-702000-0 \$27,277, 760-132201-715000 0 \$9,820)

\$80,843.00 from Est. Rev. A/C 101-000000-170001-00000

43,746.00 to Prob.-Bgt. Ctrl. A/C 101-132210-992200-00000
(Additional funds needed for staff & contractual services to perform mandated functions (101-132210-702000-0 \$40,850; 101-132210 743000-0 \$2,896)

37,097.00 to Dt. Ct. Exp. A/C 101-132200-992200-00000
(Additional funds needed for staff to perform mandated functions. Based on increases in schedules of fines.)

\$775.00 from Gen. Fd.-Fd. Bal. A/C 101-000000-390001-00000
775.00 to Parks & Rec. Bgt. Ctrl.

A/C 101-783860-992200-00000

(Proceeds from combined Golf Day Tournament Fund Raiser for Lansing Youth and Recreation Fund. Funds deposited to 101-0-675003-0 in FY 92. (101 783833-741000 90001)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

To amend the resolution by removing the transfers in the second and third paragraph relating to District Court and place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #358

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has established an account for assistance to community cablecasting activities, funded by franchise fees paid by the City's cable system operator; and

WHEREAS, the Cable Advisory Board has evaluated 16 grant applications from community programmers and recommended that 11 applicants receive funding totalling \$22,261.33; and

WHEREAS, the Committee on Ways and Means has reviewed the

Board's recommendations, and concurs with the list of recommended grants; and

WHEREAS, the Committee recognizes that further recommendations may be forthcoming from the Cable Advisory Board for expenditures from the community cablecasting activities account in FY92-93;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the grant allocations to producers of community programs according to the attached list, as recommended by the Cable Advisory Board and the Committee on Ways and Means; and

BE IT FURTHER RESOLVED the Council Staff is authorized to make a bulk purchase of videotape, and allocate tape to grant recipients, as recommended by the Cable Advisory Board; and

BE IT FURTHER RESOLVED the Council authorizes the carry-forward of the unexpended balance in the FY91-92 Community Cablecasting Activities account (101-112101-963001-0) to the FY92-93 Budget; and

BE IT FURTHER RESOLVED all community cablecasting matters left pending at the end of FY91-92 that have funding implications shall be carried forward in pending status to FY92-93.

By Councilmember Benavides

Adopted by the following vote:

Yeas: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford

Nays: Councilmember Schmidt

SUMMARY OF GRANT RECOMMENDATIONS

APPLICANT	TITLE OF SERIES OR PROGRAM	AMOUNT REQUESTED	DOLLARS RECOMMENDED	VALUE OF VIDEOTAPE	TOTAL RECOMMENDED
Lansing School District	Quiz Bowl plus others	\$19,876.10	\$7,876.10	included in grant	\$7,876.10
Lansing Community College	all productions	\$9,537.00	\$9,537.00	\$0.00	\$9,537.00
Mich. Environmental Council	"Michigan Groundwater Contamination Profile"	\$1,338.41	\$675.00	\$150.36	\$825.36
Michael Fields	Video Central	\$1,330.00	\$680.00	\$650.00	\$1,330.00
Petra Daher	Transcendental Television	\$654.71	\$654.71	\$0.00	\$654.71
Kimberly Ann Miller	MTR-TV	\$518.76	\$88.00	\$305.76	\$393.76
Betty Carter Cooney	Community Awareness Connection	\$500.00	\$400.00	\$100.00	\$500.00
Lloyd Teets	News & Views on Lansing	\$475.00	\$80.00	\$395.00	\$475.00
Dale B. Dobberstein	Lansing Insight	\$364.40	\$0.00	\$364.40	\$364.40
Paul M. Scott	Lansing Neighborhood Network	\$200.00	\$44.00	\$156.00	\$200.00
Jimmy H. Gann	Jim's Show	\$128.00	\$0.00	\$128.00	\$128.00
TOTAL					\$22,284.33

RESOLUTION #359

BY COUNCILMEMBER BELEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a team from the Board of Water and Light recently competed in an international competition that tested their skill, speed and safety for tapping water mains; and

WHEREAS, team members Marv Hall, Bill DeClercq, Leon Flores and Scott Wilkinson earned the right to represent Michigan water utilities in Vancouver, British Columbia, by winning a statewide competition earlier this year, and their trip was sponsored by the Michigan Section of the American Water Works Association; and

WHEREAS, the BWL team finished second among 24 teams from the U.S., Canada and the United Kingdom in the main tapping contest, held during the AWWA's annual conference in Vancouver, by tapping into an iron water main filled with 85 pounds of water pressure, then connecting a ¾-inch copper service line and valves in one minute, 18 seconds, which was only seven seconds more than the winning team from Los Angeles; and

WHEREAS, the BWL team's performance in the competition, which simulates a water service connection for a typical residential customer, reflects great credit on Lansing's publicly-owned utility;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 29th day of June, 1992, hereby commends and congratulates the Board of Water and Light Main Tapping Team of Marv Hall, Bill DeClercq, Leon Flores and Scott Wilkinson for their outstanding performance in Vancouver, and for the magnificent fashion in which they represented the BWL, the City of Lansing, and the State of Michigan in this competition.

By Councilmember Belen

Carried unanimously

RESOLUTION #360

BY COMMITTEE ON WAYS AND MEANS

6/29/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$4,000.00 from Parks & Rec.-Bgt. Ctrl.

A/C 101-783860-992200-00000

4,000.00 to Admin. Serv.-Bgt. Ctrl.

A/C 101-173101-992200-00000

(Purchase of IBM PC, printer, and software for use by Forestry. Major program requires larger hard disk capacity than is available on PC unit currently shared with two other staff sections. (101-173130-743000-0 = \$700; 101-173130-977004-0 = \$3,300)

Submitted by:

Jan Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #361

BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, resolutions of tribute are usually reserved for City of Lansing residents who have demonstrated an outstanding commitment to community service over a period of time, but this Council must depart from tradition in order to recognize the accomplishments of a particular suburban neighbor; and

WHEREAS, Okemos resident Ernest C. Browne, Jr., is retiring from his position as Vice President for Government, Community and Civic Affairs of Michigan National Bank, following a career of total involvement in the economic and social development of the Greater Lansing area; and

WHEREAS, Ernie's list of memberships, directorships, accomplishments and honors is literally nine pages long, which is an indication of how many meetings he attends, but Councilmembers desire to recognize Ernie for his work with young people through the American Legion's Boys State Program, Boy Scouts, the Black Child and Family Institute, and the Boys and Girls Club of Lansing, among others;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends and congratulates ERNEST C. BROWNE, JR., on the occasion of his retirement from Michigan National Bank, for his years of work, for his many triumphs, and for his "Can Do" attitude toward the betterment of life for all Residents of the Capital City.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING CHAPTER 206 OF PART TWO, TITLE TWO, BY ADDING A NEW SUBSECTION TO SECTION 206.13(d)

EXEMPTING HORSES, DOGS, OR OTHER ANIMALS OWNED BY THE CITY AND BEING USED BY THE POLICE DEPARTMENT OR ANY OTHER GOVERNMENTAL AGENCY FROM THE REQUIREMENTS RELATED TO THE SALE OR DISPOSAL OF OBSOLETE OR SURPLUS SUPPLIES

By Councilmember Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 206, by adding a new Subsection to Section 206.13(d) of the Purchasing Ordinance

Was introduced by Councilmember Brockwell, read a first and second time by its' title and referred to the Committee on Public Service

RESOLUTION #362

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday July 13, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Chapter 206, by adding a new Subsection to Section 206.13(d) of the Purchasing Ordinance of the Code of Ordinances of the City of Lansing for the purpose of exempting

horses, dogs, or other animals owned by the City and being used by the Police Department or any other Governmental Agency from the requirements related to the sale or disposal of obsolete or surplus supplies

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Brockwell

That we proceed to the passage of Ordinances.

By Councilmember Brockwell

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 812, Section 812.01, for the purpose of changing the boundaries of the Downtown Mall and Environs and decreasing the size of the assessment areas by eliminating area 3 be placed on order of immediate passage

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 812, Section 812.01, for the purpose of changing the boundaries of the Downtown Mall and Environs and decreasing the size of the assessment areas by eliminating area 3 be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 853

AN ORDINANCE TO AMEND CHAPTER 812 OF THE CODE OF THE CITY OF LANSING BY AMENDING SECTION 812.01 TO CHANGE THE ESTABLISHED BOUNDARIES OF THE DOWNTOWN MALL AND ENVIRONS BY DELETING DISTRICT THREE (3).

The City of Lansing ordains:

Section 1. That Section 812.01 of the Codified Ordinances of the City of Lansing, Michigan, be amended to read as follows:
812.01 DESIGNATION OF AREA.

The alleys, streets, sidewalks and public places within the following boundaries are hereby declared and established as the Downtown Mall and Environs:

A. District 1.

The centerline of Shiawassee Street on the north;
The centerline of Grand Avenue on the east;
The centerline of Lenawee Street on the south; and
The centerline of Capitol Avenue on the west;

B. District 2.

The centerline of Shiawassee Street on the north;
The centerline of Cedar Street on the east;
The centerline of Kalamazoo Street on the south;
The centerline of Grand Avenue on the west; and

The eastern sidewalk line on the east side of Grand Avenue from Lenawee Street to Kalamazoo Street; and
Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Benavides a list of Carry Forwards 1992-1993

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ From Councilmember Benavides a FY 1992 Transfer

HANDLED AS RESOLUTION # 360

3/ From Councilmember Ford a resolution of tribute to Ernest Brown

HANDLED AS RESOLUTION #361

4/ From Councilmember Brockwell a letter to the Michigan Tax Tribunal on behalf of Commerce Center Building for inclusion with VIII B.

INCLUDED WITH OTHER LETTERS TO THE MICHIGAN TAX TRIBUNAL AND REFERRED TO THE MAYOR AND THE CITY ATTORNEY

5/ From Councilmember Brockwell a letter from the Tri-County Regional Planning Commission

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6/ From Councilmember Canady a notice of cancellation of the next meeting of the Cable Advisory Board scheduled for July 1, 1992

RECEIVED AND PLACED ON FILE

MAYOR'S COMMENTS

Mayor McKane announced that City Hall Offices will be closed on Friday, July 3, 1992. Green Bag and Recycling trash pickup will be done on schedule. There will be a parade Saturday, July 4th, at 10:00 A.M. starting at Pere Marquette. On July 4, 1992 the Lansing Concert Band, now going by the name of "Capital City Big Band", will perform a free concert prior to the fireworks. The concert will start at 7:30 and go to 9:30. He reported that the Parks and Recreation Director received a call from someone saying that 70 domestic rats were released in the area around Hunter Park this afternoon.

COUNCILMEMBERS COMMENTS

Councilmember Beal stated her concern over the management at the City Market. She would like to see this issue taken up at the next Committee of the Whole meeting. Council President Crawford referred Councilmember Beal's concerns to the Committee of the Whole for discussion.

Councilmember Canady said he had received a call from Randy Davenport, a resident of the Colonial Village Area. They are concerned about the amount of people being chased and shot at with guns. Phone booths in their area are being used for the sale of drugs. They would like to have these booths removed and a mini station put in at Holmes Rd. and Pleasant Grove. Councilmember

Canady asked the Mayor's Office to check into property at 938 N. Dr. Martin Luther King, Jr. Blvd./Logan St. It has been vacant for 6 years and is in very bad shape. It needs to be in the Demolition process.

Councilmember Brockwell responded to a question regarding the amount of employees at the Potter Park Zoo. 200 Volunteer Staff, 4 permanent and 2 seasonal part time staff members, 22 permanent full time and 3 seasonal full time staff members. He said he attended the United Negro College Fund Golf Outing sponsored by Dick Letts last Saturday. It raised \$3,000.00. He informed Councilmembers that the property they voted to acquire at 521 N. Butler recently had two drug dealers evicted from it Friday night.

Councilmember Schmidt said that the North Lansing Parade was a success and complimented the Mayor for taking part in it. She thanked the Public Service Department for the letter she received regarding the separation of sewers under the Combined Sewer Overflow Project. She informed the audience of the proper etiquette to use when saluting the American Flag. She attributed the loss of vendors at the City Market to the fact that the City started asking them to pay their fair share.

Councilmember Ford said that he too attended the Golf Benefit for the United Negro College Fund this weekend. He thanked Mr. Letts for putting it on. Last Saturday was also the 4th annual Main Street Reunion. He said it was good to see this neighborhood as active as it used to be.

Councilmember Belen said there are no truck farmers to contribute to the City Market anymore. She said that City residents do not know that the City puts a quarter of a million dollars into the market every year. We cannot afford to do this any more.

Councilmember Benavides reminded everyone that last year saw the resignation of 2 members of the City Market Advisory Board. He asked Mayor McKane for an update of what has been happening with the representation on the board since that time.

PUBLIC COMMENTS

Dr. Earl T. Pauley Jr. reported that a senior citizen he knows was robbed at Riverfront Park. He said that the property at 808 N. Cedar St. is an eyesore and asked for information as to what is going on with it.

Tyron Dabney, President of Warrior Management, related a situation that has happened with property he purchased. He drove by the property, which is in the process of renovation, and it had been demolished. He was never given a notice of any kind. Councilmember Ford said that apparently what happened is that this property was in the Demolition process before Mr. Dabney purchased it, and the previous owner failed to inform him of this. However, Mr. Dabney had taken a list of his prospective properties to Mr. Stonehouse and Mr. Salmons at the Building Department and asked if they were involved in this process. He was told no. He has secured a loan to renovate these properties. It is his desire to help provide affordable housing for low-income families in the City. Councilmember Canady asked Mr. Dabney to provide Councilmember Brockwell with a list of his properties and to stay after the meeting tonight because he has more information for him.

Harold Leeman of 529 N. Francis asked the Mayor for a report on the Mayor's Conference. He asked Councilmember Belen for a

similar report on the Main Tapping competition in British Columbia. He asked if the five year business plan for the Lansing Center was presented to the Mayor yet. He said citizens of Lansing are sick of Police Officers being blamed for protecting themselves and other innocent victims.

Lloyd Teets of 116 E. Elm asked everyone to join him in reading the Bill of Rights this July 4th. He complimented Council on the process and manner of the sewer rate increase compromise. He asked why the City has 42 million dollars to spend on surface parking but not on the Zoo. He feels they have their priorities wrong.

William Bernstein of 420 Baker St. offered a silent prayer. He said he has been coming to Council meetings with signs and hand bills for a year now. He wants to know why the City Attorney forced him to take his signs down last week.

Sally Redfern of 3311 S. Catherine thanked Council for the settlement of her claim.

Douglas Fairbanks of 107 May St. wished everyone a happy Fourth of July. He told Mayor McKane that Houston is a tough city to have a meeting in.

Tom Shields of 1118 Riley St. thanked Councilmember Brockwell for the research he did on Zoo employees. He asked why the City did not hire contract help instead of seasonal help, and why the Zoo Director was allowed to retire at only 46 years old. He believes that the reason for the lack of customers at the City Market is because it has become too modern. He and his wife went to see the fish store and it was closed, and too far from the entrance. Mayor McKane responded that the State forced the City to convert the Market from an "Open Air Market". He said the intent of the early reduction in force plan was to remove between 100 and 125 white collar employees rather than forcing them out without jobs. He said that the Fire Department and Police Department routinely retire officers at 46 years old. The retirement of Mr. Finley will cost the retirement system more, but, it will save the money and allow City government to reorganize and consolidate.

ADJOURNED 8:50

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

244

Proceedings, July 6, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
July 6, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Crawford, Ford, Schmidt

ABSENT: Councilmembers Brockwell and Canady
(Councilmember Canady arrived 7:50 P.M.)

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a request that the two resolutions reappointing members to the Board of Water and Light be pulled for one week

2/ From Councilmember Benavides a letter from Attorney's on behalf of Waterfield Mortgage requesting a 60 day delay on the order for make-safe or demolish at 801 W. Saginaw

3/ From Councilmember Benavides a resolution rescheduling the public hearing for make-safe or demolish at 539 Paris to July 13, 1992, and a request that those members of the public present to address this property be allowed to do so during the first public comment portion of the agenda

4/ From Councilmember Benavides a letter from Jonathan Watts, of P.O. Box 80041 requesting a meeting with the Committee regarding 104 S. Dr. Martin Luther King, Jr. Blvd./Logan St. to show cause why it should not be demolished

5/ From Councilmember Beal a letter from Nancy O. Jones of 1443 N. Homer St. regarding conditions at the City Market

6/ From Councilmember Beal 2 letters from James and Bonnie Crandall of 6170 Keiser regarding the Policemen & Firemen's Retirement System

Carried unanimously

PUBLIC HEARINGS

A. Make-safe or demolish for property at 801 W. Saginaw

Lloyd Teets of 116 E. Elm St. said he is opposed to all of these demolitions because the process is not fair or constitutional. He said the process is un-american, and that these houses do not cause problems, their owners do.

Jim Blair, City Clerk read a letter from the law firm of Russell &

Batchelor on behalf of Waterfield Mortgage requesting a 60 day delay in the make-safe or demolish order on this property to allow for expiration of the federally required redemption period so that the property may be deeded over to HUD for resale and renovation.

Councilmember Ford outlined the demolition process, and pointed out that this hearing is just a part of the procedures for make-safe or demolish. By the time these hearings are held, the owner has been given notices, and had the opportunity to speak to the Committee and the Building Department.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. Make-safe or demolish for property at 2908 Midwood St.

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Make-safe or demolish for property at 706 Isbell St.

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Make-safe or demolish for property at 104 Dr. Martin Luther King, Jr. Blvd./104 S. Logan St.

James D. Blair, City Clerk read a letter from Johnathan Watts of P.O. Box 80041 requesting that he be allowed to show cause why this building should not be demolished to the Committee on Public Services

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. Make-safe or demolish for property located at 131 Island

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

Harold Leeman of 529 N. Francis asked to have the two individuals who are being reappointed to the Board of Water and Light brought in for interviews before the committee. He pointed out that since they were last appointed, Council has acquired 5 new members who are not familiar with these appointees. He asked whether item X D-9, under letters from the Mayor, regarding the agreement with the Board of Water and Light and the City of Lansing would receive action tonight, and where the Business Plan for the Lansing Center would be referred. Council President Crawford told him the agreement between the Board of Water and Light and the City was an information only item, and that the Business Plan for the Lansing Center would be referred to the Mayor and the Committee of the Whole. Mr. Leeman asked for discussion of who would receive the money from the sale of land in Erickson park to MDOT.

Council President Crawford announced that anyone interested in speaking on the demolition of property at 539 Paris would be welcome to make their remarks now.

Ramon Fuentes of 573 Paris spoke in favor of the demolition of 539 Paris, saying it is dangerous and an eyesore.

Randy Holton of 530 Paris said that the neighborhood has been dealing with the problems caused by the property at 539 Paris for seven years. He said their property taxes keep going up, but their SEV goes down because of this property.

Dawn Beals of 551 Paris said this property has been in the same condition for 15 years that she knows of. She reported that the Community has been trying to get this house in the demolition process for at least one year.

Steven M. Helgren of 526 Paris spoke in support of the demolition of this property.

Ed Ziegenhagen of 554 Paris said he is in favor of this demolition. He said the owner has circumvented the Rental Property Registration Program and its' requirements by selling the property on land contract.

Lloyd Teets of 116 E. Elm spoke in opposition to the demolition of this property, and advised the members of the audience who spoke in support of a demolition order that the fault is not with this house, but with the City. He said that if this is a substandard building, then the City should have taken the owner to court.

COMMUNICATIONS AND PETITIONS

A. Michigan Tax Tribunal Appeals received on behalf of:

- Harvey and Shirley Ann Altman; d/b/a Town Center Building
- Grove Park Apartments
- Electronic Data Systems Corporation
- Willowbrook Apartments
- Robart Associates

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

B. Communication received from M.S.U. Cooperative Extension Service regarding a Video conference on America's Aging Population

RECEIVED AND PLACED ON FILE

C. Z-9-92. request for rezoning Lot #208, Synder's Subdivision, filed by Farmington Auto Wash, Inc.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

D. Six additional petitions requesting that Officer Vaughan be allowed to purchase. Dreamer, the horse

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

MAYOR MAY COMMENT

Mayor McKane outlined his thirteen letters on tonight's agenda

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

RESOLUTION #363
July 2, 1992

President Crawford and Members of the Lansing City Council

10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

Transfer of Ownership of a 1991 SDD SDM Liquor License from Pauline Baldino to Fajek Zeineh, 621 E. Michigan Avenue

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 29, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Preliminary Business Plan Submitted by the Greater Lansing Convention/Exhibition Authority

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

D. Letters from the Mayor re:

1. Public Improvement I Construction of Curb and Gutter and Necessary Storm Drainage Facilities (Christiansen Road from Hillcrest to Mary Avenue)

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2. Letter from Ann Ashby regarding Summer Programs at Potter Park and Fenner Arboretum

RECEIVED AND PLACED ON FILE

3. Thank You for City Efforts on behalf of Cooley Gardens

RECEIVED AND PLACED ON FILE

4. Grand River Expedition '90 named National Winner to Take Pride in America National Awards Program

RECEIVED AND PLACED ON FILE

5. Special Assessment Appeals

RECEIVED AND PLACED ON FILE

6. Neighbors United in Action—Election of Board of Directors

RECEIVED AND PLACED ON FILE

7. First of America Bank-Central, Community Reinvestment Act Annual Responsiveness Statement, April 15, 1992

RECEIVED AND PLACED ON FILE

8. Lansing City Market Committee Agenda and Minutes

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

9. Agreement between the City of Lansing and the Board of Water and Light

RECEIVED AND PLACED ON FILE

10. Traffic Study: Pleasant Grove Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

11. Traffic Control Request: Jolly Road and Dunckel Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. Traffic Control Request: Kendon Avenue and Southgate Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13. Parking Regulation Change Request: Mason Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

RESOLUTION #364

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the Mayor's response to the Torres Ad Hoc Committee Recommendations,

REPORTS AS FOLLOWS: The Committee reviewed the recommendations and response with the Chief of Police, asking a variety of questions and receiving complete and specific answers. The Committee is satisfied that the Mayor and the Chief are taking diligent steps to insure that LPD officers are sensitive to the racial and multicultural makeup of our community. Ongoing training programs equal or exceed those of other police departments, especially in the area of firearms training. Recruitment of qualified minorities for sworn positions continues to be difficult due to intense competition from other police agencies. The Mayor's response requires no Council action on ordinance or policy matters, and this report is for information only.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

July 6, 1992

By Councilmember Ford

To amend the Committee Report by replacing James Crawford's name with Tony Benavides to reflect the proper Committee membership

Carried unanimously

By Councilmember Schmidt

That the report of the Committee be received

Carried unanimously

RESOLUTION #365

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred a citizen request for removal of certain public telephones from South Washington Avenue,

REPORTS AS FOLLOWS: The Administration has provided the Committee with a 30-day update on the status of the two public telephones remaining in operation. Both have been converted to rotary dials as a way to make them less convenient for drug

traffickers and prostitutes using beepers for message machines. Surveillance of the telephones has shown that one is equally used by residents of the neighborhood and persons suspected of illegal activities. The second telephone is believed to be used more by persons suspected of illegal activities, but the telephone is owned by the proprietor of the convenience store where it is located. The City has no authority to force the owner to remove the telephone. The Committee will receive a 60-day update before making a recommendation to the Council. This report is for information only, and no Council action is required at this time.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

July 6, 1992

By Councilmember Schmidt

To amend the Committee Report by replacing James Crawford's name with that of Tony Benavides to accurately reflect Committee membership and receive the Committee Report

Carried unanimously

RESOLUTION #366

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the report from the Mayor and Planning Board on Rezoning Petition Z-2-92, for property located at the northwest corner of Waverly Road and Glenburne Boulevard,

REPORTS AS FOLLOWS: The Committee reviewed the recommendation from the Mayor and Planning Board to deny the petition for D-1 Professional Office District, and heard testimony from two area residents opposed to the rezoning. The developer presented testimony and evidence that the rezoning would allow productive use of this vacant parcel without adversely affecting the adjacent neighborhood. The Committee requested that the developer work with the Planning Division staff on a site plan to include the specific location of the office building and drainage, as well as appropriate screening and buffering. While the Committee hopes to report this matter to the Council with a recommendation to override the Planning Board and the Mayor, the rezoning petition will be held in Committee pending review of the site plan. This report is for information only, and no Council action is required at this time.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

July 6, 1992

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

YEAS: 6

NAYS: 1

RESOLUTION #367

Z-4-92
4301 South Pennsylvania Avenue

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-4-92—4301 South Pennsylvania Avenue to be rezoned from "E-2" Local Shopping

District to "F" Commercial District

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady

Lucile Belen

Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Belen

That the report of the Committee be received

Carried unanimously

RESOLUTIONS

RESOLUTION #368

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Board of Water and Light has requested City Council approval of the sale of a 0.15-acre strip of land, located in Delta Township's Erickson Park, to the Michigan Department of Transportation for a price of \$4,300.00; and

WHEREAS, the Board has declared the property surplus, and the sale will not impair BWL present or future interests or use of the remaining portion of their property at this location; and

WHEREAS, the Committee on Physical Development has reviewed the request and recommended Council approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, in accordance with the provisions of Section 5-203.3 of the City Charter, hereby approves the sale of a 0.15-acre parcel of land located in the northwest corner of Erickson Park, Delta Township, legally described in the Board of Water and Light letter to City Council dated March 2, 1992 (attached), for the sum of \$4,300.00 to the Michigan Department of Transportation.

July 6, 1992

By Councilmember Benavides

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Carried unanimously Councilmember Ford abstaining

March 2, 1992

City Council President James A. Crawford and

Members of City Council

City Hall

124 West Michigan Avenue

Lansing, Michigan 48933

Dear President Crawford and Councilmembers:

At a regular meeting of the Board of Water and Light of the City of Lansing, Michigan, held February 25, 1992, of which meeting proper notice was given, and at which meeting a quorum of members was present, the following action was adopted:

Recommend the property described below be declared surplus

and sold to the Michigan Department of Transportation (MDOT) for \$4,300.00 subject to approval of City Council as required under Article 2, Section 5-203.3 of the Lansing City Charter.

A strip of land 30.00 feet in width, lying southeasterly of and adjacent to a line 91.00 feet southeasterly of (measured at right angles) and parallel to a line described as: Beginning at a point on the North-South Quarter line of Section 33, T4N, R3W, Delta Township, Eaton County, Michigan, which is North 00°04'48" West, 1530.38 feet from the South Quarter Corner (S ¼ Cor) of said Section 33; thence North 58°11'29" East, 749.64 feet; thence North 55°28'44" East, 72.35 feet to the point of curvature of a 2291.83 foot radius curve to the left; thence Northeasterly along the arc of said curve 3383.00 feet (chord bearing North 13°11'29" East, chord distance of 30.84.12 feet) to the point of ending, over and across the following described Tract "A".

The lands described above contain approximately 0.15 acres.

TRACT "A":

That part of the North ½ of the north ½ of the Southeast ¼ of Section 33, T4N, R3W, lying Easterly of Highway I-96 Delta Township, Eaton County, Michigan. EXCEPT AND LESS, all that part which lies Northwesternly of a line described as: Commencing at the East Quarter corner of Section 33, T4N, R3E, Delta Township, Eaton County, Michigan; thence South 89°38'38" West along a line (which if extended, would intersect the West ¼ corner of said Section 33) a distance of 1207.02 feet; thence South 32°26'02" West a distance of 200.62 feet to a point of beginning; thence Northeasterly along the arc of a 2382.83 foot radius curve to the left (chord bearing North 31°14'23" East) a distance of 300 feet to a point of ending.

This parcel of property is in the Northwest corner of the Erickson Park and is located adjacent to the 0.3 acre parcel deeded to MDOT in 1984 for right-of-way for the I-69 and I-96 interchange. The MDOT desires this additional right-of-way for a ditch to drain water from I-96. MDOT inadvertently constructed the ditch on BWL property adjacent to and parallel to the existing right-of-way.

The sale of this parcel will not impair the BWL present or future interests or use the remaining portion of the property. Also, the sale will not affect the Charter Township of Delta's use of the remaining property for Park purposes in accordance with the lease granted them and further, they have no objection to this proposed sale to MDOT.

City Council concurrence on the sale of this property is requested.

Sincerely,

Rosemary Sullivan, Asst. Secretary

371-6034

RESOLUTION #369

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Doris M. Witherspoon to the Planning Board for a term to expire June, 1996, is hereby confirmed.

July 6, 1992

By Councilmember Belen

Carried unanimously

RESOLUTION #370

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of RONALD J. THELEN to the Planning Board for a term to expire June, 1996, is hereby confirmed.

July 6, 1992

By Councilmember Belen

Carried unanimously

RESOLUTION #371

June 25, 1992

COMMITTEE ON PHYSICAL DEVELOPMENT

S-5-92

Southwest corner Picardy and Bliesener Streets

WHEREAS Lyle Bliesener has requested to divide lots 40 and 41, Plat of Bliesener Subdivision in the City of Lansing, Ingham County, Michigan, into three (3) lots; two of which will be 60 feet in width and 150 feet in depth, and one lot will be 68 feet wide and 150 feet deep. This is a corner lot and is required to have 70 feet of width; and

WHEREAS the Planning Board, at their meeting of June 16, 1992, reviewed this request and recommended approval; and

WHEREAS the Physical Development Committee of City Council concurs in the recommendation of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves of the lot division for property on the southwest corner of Bliesener Street and Picardy Street, known as Lots 40 and 41 of Bliesener Subdivision, City of Lansing, Ingham County, Michigan, and that these lots be divided as follows:

Parcel A: Lots 40 and 41, except the south 120 feet thereof, Plat of Bliesener Subdivision, City of Lansing, Ingham County, Michigan.

Parcel B: The north 60 feet of the south 120 feet of Lots 40 and 41, Plat of Bliesener Subdivision, City of Lansing, Ingham County, Michigan.

Parcel C: The south 60 feet of Lots 40 and 41, Plat of Bliesener Subdivision, City of Lansing, Ingham County, Michigan.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed, to notify the petitioner of this action. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed or plat restriction, which may or may not be recorded with the Register of Deeds, which may run with the land. The applicant further understands that the City does not have the power or authority over these restrictions.

By Councilmember Belen

Carried unanimously

RESOLUTION #372

June 25, 1992

COMMITTEE ON PHYSICAL DEVELOPMENT

LS-6-92

Northeast corner Miller Road and Picardy Street

WHEREAS this request was made by Lyle Bliesener to divide property on the northeast corner of Miller Road and Picardy Street, known as Lot 4, Plat of Bliesener Subdivision, City of Lansing, Ingham County, Michigan, into two (2) parcels; one will be 96 feet in width. The other, 75 feet in width and both will have a depth of 99.6 feet and the Subdivision Ordinance requires a lot depth of 100 feet; and

WHEREAS the Planning Board, at their meeting of June 16, 1992, reviewed this request and recommended approval; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves of a lot division for Lot 4 of the Plat of Bliesener Subdivision, City of Lansing, Ingham County, Michigan, to be divided into two parcels as follows:

Parcel A: The north 75 feet of Lot 4, Plat of Bliesener Subdivision, City of Lansing, Ingham County, Michigan.

Parcel B: Lot 4, except the north 75 feet, Bliesener Subdivision, City of Lansing, Ingham County, Michigan; and

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby directed, to notify the petitioner of this action. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed or plat restriction, which may or may not be recorded with the Register of Deeds, which may run with the land. The applicant further understands that the City does not have the power or authority over these restrictions.

By Councilmember Belen

Carried unanimously

RESOLUTION #373

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Thomelia Roper to the Senior Citizens Advisory Board for a term to expire June, 1996, is hereby confirmed.

July 6, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #374

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following accounts be reappropriated and carried forward into the Fiscal Year beginning July 1, 1992, in the lessor of the amount indicated or the unencumbered balance;

FUND

DEPARTMENT

MEMO ACCOUNT

GENERAL FUNDMEMO ACCOUNT TITLECONTROL ACCOUNTAMOUNT

CITY COUNCIL

101 112101 977000 00000	Equipment	101 112101 992200 0	Unencumb. Balance
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MAYOR

101 172300 741291 00000	Riverfest/Mich. Week	101 172300 992200 0	Unencumb. Balance
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PERSONNEL

101 172800 743000 00000	Prof. Services	101 172800 992200 0	Unencumb. Balance
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POLICE

101 343201 741879 00000	Donations-DARE	101 343201 992200 0	Unencumb. Balance
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101 343201 741880 00000	Contributions	101 343201 992200 0	Unencumb. Balance
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FIRE

101 343501 741880 00000	Contributions	101 343501 992200 0	Unencumb. Balance
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101 343501 741881 00000	Contributions- LEPC	101 343501 992200 0	Unencumb. Balance
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101 343520 977000 00000	Equipment	101 343501 992200 0	\$575,000.00
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HUMAN RELATIONS

101 672500 992200 00000	Contributions	101 672500 992200 0	Unencumb. Balance
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PUBLIC SERVICE

101 453611 746100 00000	O & M Bldg. Maint.	101 453603 992200 0	\$17,892.40
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PARKS AND RECREATION

101 783810 741878 00000	Fireworks-Donations	101 783860 992200 0	Unencumb. Balance
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101 783810 741880 00000	Contributions	101 783860 992200 0	Unencumb. Balance
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101 783833 707000 90001	LYRF- Temp Help	101 783860 992200 0	Unencumb. Balance
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101 783833 741000 90001	LYRF-Misc. & Oper.	101 783860 992200 0	Unencumb. Balance
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HUMAN SERVICE AGENCIES

101 833710 960061 00000	Com. Mental Health	101 833710 992200 0	Unencumb. Balance
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101 833710 960069 00000	Health & Child Care	101 833710 992200 0	Unencumb. Balance
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101 833710 960098 00000	Emergency Services	101 833710 992200 0	Unencumb. Balance
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101 833710 960120 00000	Discretionary Fund	101 833710 992200 0	Unencumb. Balance
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GENERAL ADMINISTRATION

101 173901 715000 00000	Fringe Benefits	101 173901 992200 0	Unencumb. Balance
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PARKING SYSTEM

585 453645 741000 00000	Garage 2 Misc & Oper.	585 453642 992200 0	\$2,900.00
585 453646 746101 00000	Garage 3 Major Maint.	585 453642 992200 0	\$50,000.00
585 454200 992000 00000	Constr. Contingency	585 453642 992200 0	Unencumb. Balance

WASTEWATER

590 453670 743000 00000	Prof. Services	590 453670 992200 0	Unencumb. Balance
590 453670 977008 00000	Equipment Repl.	590 453670 992200 0	\$307,500.00
590 453670 746200 00000	Equipment Maint.	590 453670 992200 0	\$195,000.00
590 453670 973000 20100	City Share-Sanitary	590 453670 992200 0	Unencumb. Balance
590 453671 977008 00000	Pump Sta.- Equip. Repl.	590 453670 992200 0	\$15,320.00
590 453671 977000 00000	Pump Sta.- Equip.	590 453670 992200 0	\$38,250.00
590 453670 746100 00000	Bldg. Maintenance	590 453670 992200 0	\$11,928.27

REFUSE

596 453622 746100 00000	Bldg. Maintenance	596 453622 992200 0	\$6,071.31
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SERVICE GARAGE

640 453624 746100 00000	Bldg. Maintenance	640 453623 992200 0	\$11,928.27
640 453624 978000 00000	Vehicles/ Misc.	640 453623 992200 0	\$9,000.00

WORKER'S COMPENSATION

765 174170 741700 00000	Claims	765 174170 992200 0	\$35,500
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And be it finally resolved that encumbrances at June 30, 1992 be reappropriated and carried forward into the fiscal year beginning July 1, 1992.

Submitted by:

Jan Lazar, Director of Budget and Management

By Councilmember Benavides

Carried unanimously

RESOLUTION #375

BY COMMITTEE ON WAYS AND MEANS

7/6/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$1,200.00 from Est. Rev. A/C 101-000000-170001-00000
1,200.00 to Dt. Ct.-Prob.-Bgt. Ctrl.

A/C 101 132210-992200-00000

(Number of alcohol assessment tests required has increased due to state-mandated 77 day turnaround time for OUIL cases. (Transfer to memo account 101-132210-743000-0.)

\$370,050.00 from Fund Bal. A/C 101-000000-390001-00000
370,050.00 to Police-Bgt. Ctrl.

A/C101-343201-992200-00000

(Balance of funds required for FOP Non-Supervisors and FOP Parks Security contract settlements for payments through 6-30-92 in excess of available Departmental funds.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #376

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the reappointment of Dr. Eva Evans to the Board of Water and Light is hereby confirmed as recommended by the Mayor. Term expires June, 1996.

July 6, 1992

By Councilmember Benavides

To reconsider the motion to table the reappointments of Dr. Eva

Evans and Phillip Hassler to the Board of Water and Light and bring them back to the table for discussion and action following public comment on the resolutions

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmember Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: Councilmember Beal

ABSENT: Councilmember Brockwell

RESOLUTION #377

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the reappointment of Mr. Phillip E. Hassler to the Board of Water and Light is hereby confirmed as recommended by the Mayor. Term expires June, 1996.

July 6, 1992

By Councilmember Canady

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: Councilmember Beal

ABSENT: Councilmember Brockwell

RESOLUTION #378

By Councilmember Benavides

To set a Public Hearing for July 13, 1992 in consideration of requiring that the owners of property at 539 Paris Street be ordered to make-safe, or otherwise demolish their structure.

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-6-92—226 West Genesee Street to be rezoned from "DM-3" Residential District to "D-1" Professional Office District

was introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #379

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 27, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-6-92—226 West Genesee Street to be rezoned from "DM 3" Residential District to "D-1" Professional Office District

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER CANADY:

That we move to passage of ordinances.

BY COUNCILMEMBER CANADY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-04-92—4301 South Pennsylvania Avenue be rezoned from "E-2" Local Shopping District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-04-92—4301 South Pennsylvania Avenue be rezoned from "E-2" Local Shopping District to "F" Commercial District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Brockwell

ORDINANCE #02341A

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES. The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-4-92, 4301 South Pennsylvania Avenue

Parcel Number: 3301-34-326-001

Legal Description: Lots 1, 2 and the north 12 feet of Lot 3, Pleasant Ridge Plat, City of Lansing, Ingham County, Michigan

From E-2 Local Shopping District to F Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides a request that the two resolutions reappointing members to the Board of Water and Light be pulled for one week

THE RULES WERE SUSPENDED AND THESE TWO RESOLUTIONS WERE PULLED FOR ONE WEEK, SUBSEQUENTLY, COUNCILMEMBER BENAVIDES MOVED TO RECONSIDER THIS MOTION AND BRING THESE TWO ITEMS BACK TO THE TABLE FOR DISCUSSION AND ACTION AT TONIGHT'S MEETING. MOTION CARRIED BY UNANIMOUS VOTE. THESE TWO ITEMS WERE ADOPTED AS RESOLUTIONS #376 AND #377

2/ From Councilmember Benavides a letter from Attorney's on behalf of HUD and Waterfield Mortgage requesting a 60 day delay on the order for make-safe or demolish at 801 W. Saginaw

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3/ From Councilmember Benavides a resolution rescheduling the public hearing for make-safe or demolish at 539 Paris to July 13, 1992, and requesting that those members of the public present to address this property be allowed to do so during the first public comment portion of the agenda

THE RULES WERE SUSPENDED TO ALLOW MEMBERS OF THE PUBLIC TO ADDRESS THIS DEMOLITION UNDER THE PUBLIC COMMENT PORTION OF THE AGENDA; THE RESETTING OF THE PUBLIC HEARING WAS HANDLED AS RESOLUTION #378

4/ From Councilmember Benavides a letter from Jonathan Watts, of P.O. Box 80041 requesting a meeting with the Committee regarding 104 S. Dr. Martin Luther King, Jr. Blvd./Logan St. to show cause why it should not be demolished

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5/ From Councilmember Beal a letter from Nancy O. Jones of 1443 N. Homer St. regarding conditions at the City Market

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

6/ From Councilmember Beal 2 letters from James and Bonnie Crandall of 6170 Keiser regarding the Policemen & Firemen's Retirement System

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

MOTION OF EXCUSED ABSENCE

By Councilmember Schmidt

To excuse Councilmember Brockwell from tonight's proceedings

Carried unanimously

REMARKS BY THE MAYOR

Mayor McKane made the following announcement of events scheduled for Wednesday, July 8, 1992: Potter Park Ribbon Cutting at 9:00 a.m.; 10:00 a.m. Ribbon Cutting for the new Frandor McDonald's; 11:00 a.m. Erection of the first in a series of banners sponsored by local merchants highlighting the Lansing Community; Red Cross Blood Drive at 1:00 p.m. anyone interested in seeing

him give blood may attend. with the proviso that they also make a donation.

REMARKS BY COUNCILMEMBERS

Councilmember Beal announced that this week the Public Service Committee will meet at 9:30 on Friday morning. They will discuss the City Market issue. She said that she attended the last meeting of the City Market Advisory Committee and found it very illuminating. It is obvious that there are problems there.

Councilmember Canady apologized for being late and for his attire.

Council President Crawford declared that this is the time for public comment by anyone interested in addressing the two appointments to the Board of Water and Light.

Lloyd Teets of 116 E. Elm St. said that he is opposed to these two reappointments, especially that of Doctor Evans. She is the Assistant Superintendent of Lansing Schools. He believes this to be a conflict. If not a conflict of interest, then a conflict of conscience. He said that as an executive of General Motors, Mr. Hassler also appears to be in a similar situation. He described the relationship between the Board and GM as "very cozy" and said it should be broken up. He claimed that both Councilmember Benavides and Councilmember Brockwell should see a potential conflict in voting for the appointment of Dr. Evans to the Board of Water and Light because their wives are teachers for the Lansing School District, and said the City could use "new blood" on this Board. Councilmember Benavides responded to Mr. Teets' statements by saying that Mr. Teets encourages disruption of the Council, disobeys the law, and will not follow the rules. The listening audience, especially teenagers need to have the right example set for them. Mr. Teets sends the wrong message.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. offered a silent prayer. He asked for an answer from City Attorney Knot as to why he was forced to remove his signs.

Lloyd Teets of 116 E. Elm St. said that Councilmember Schmidt did not vote for his grant for a cable tv show last week because she does not really believe in freedom of speech. He said he is a veteran, and as she is a proponent of veterans, he deserves her support.

Harold Leeman of 529 N. Francis asked for a response to his request one month ago that Council remove one of the members of the Board of the Lansing Center. He said the Charter prohibits this person from service on this board because he is being paid by the City to perform another function. Also, at the time of this appointment this person lived in the City, now he lives in Wacousta, and no vote was ever taken to allow him to serve on the board as a non-resident. He questioned Councilmember Belen as to whether any of her cost of attending the Board of Water and Light Main Tapping Competition in British Columbia was paid out of her City promotional account. Councilmember Belen offered to bring her canceled checks in to prove to Mr. Leeman that she personally paid her own expenses and said that she resents his implications.

Douglas Fairbanks of 107 May St. said that he knows of a few more phones that need to be converted back to rotary dial systems. The public phone at the corner of Hosmer and Michigan and the public

phone at the corner of Lenawee and South Washington. He said the July Fourth parade was great.

ADJOURNED 8:40
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

254

Proceedings, July 13, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
July 13, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford.

PRESENT: Councilmembers Beal, Belen, Brockwell, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings of June 8, and June 15, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell a Committee Report by the Committee on Public Services regarding the Administration of the City Market

2/ From Councilmember Brockwell a Resolution by the Committee on Public Services requiring the owners of property at 2908 Midwood St. to make-safe or demolish their structure within 20 days of July 13, 1992

3/ From Councilmember Brockwell a Resolution by the Committee on Public Services requiring the owners of property at 706 Isbell to make-safe or demolish their structure within 20 days of July 13, 1992

4/ From Councilmember Brockwell a Resolution by the Committee on Public Services requiring the owners of property at 801 W. Saginaw to make-safe or demolish their structure within 20 days of July 13, 1992

5/ From Councilmember Beal a letter from Richard O. Bernitt of 2510 Tulane regarding his request for exemption from the recycling collection fees

6/ From Councilmember Benavides a Committee Report from the Committee on Ways and Means regarding extension of the Early Reduction in Force Plan to District Court employees

7/ From Councilmember Benavides a Resolution of Transfer for District Court from the Committee on Ways and Means

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider an Amendment to Chapter 206, Part Two, Title Two of the Code of Ordinances, Purchasing Ordinance

Vaughan McKinch, no address given, spoke in opposition to this amendment. He is the former purchasing director for the City of Lansing and the father of the previous owner and trainer of Dreamer, the horse. He was informed by the Finance Department that the sale of Dreamer would go out for bids. He said the three proper means of disposal of city property are a.) acceptance of the highest bid in a sealed bid process, b.) public auction, c.) used as a trade-in for other merchandise. He said the other horses in this program are going out to bid and asked that everyone be given a fair chance to bid on Dreamer. He pointed out that this horse was bought with taxpayer's money.

Barbara Vaughan of 1210 Briarfield said that Vicki Vaughan merely wants the right of first refusal. She said that the former owner of Dreamer has not even seen the horse for seven years.

Colleen McKinch of 1860 Kirby Rd., Leslie, previous owner of Dreamer, said she sold him because she was in the process of a divorce and could no longer afford to keep him. She said that the fair market value of the horse is much higher than the \$750.00 figure mentioned in the State Journal. Horses, she said, attach themselves to the person who feeds and cares for them, not necessarily their rider. She requested that Dreamer go to the highest bidder.

Catherine Curtis of 219 Clare St. spoke in favor of allowing Officer Vicki Vaughan to purchase Dreamer. She has been taking care of him for 7½ years. He is used to being a Police Horse now, and should not be put back into the 4 H program.

Kim Gower of 10800 S. Hollister spoke in support of allowing Officer Vaughan to buy Dreamer. She nursed him when he was ill with lung disease and several other ailments. Prior to the elimination of the Horse Patrol Dreamer was to be retired because he is not in physical condition to stay in use.

Dean Cross of 2162 Grovenburg spoke in favor of selling Dreamer to the highest bidder. His daughter rode the mother of Dreamer for several years and Colleen McKinch takes excellent care of her. There is a bond between a horse and it's trainer, he said. Please consider the request of Colleen McKinch that the purchasing ordinance not be changed.

Shirley Porter of 14946 Turner said that officers are allowed to purchase their canine partners when they are no longer useful. The rules governing the sale of animals should all be the same.

Doris Roos of 3055 Lyon Road, Mason said she knew Colleen McKinch for 15 or 20 years before the birth of Dreamer. Ms. McKinch has followed Dreamer's career and kept in touch with

what is happening with him. She does not care about how much money it will cost to care for her horses, she cares only that they get the care they need.

Harold Leeman of 529 N. Francis said this debate is only going to turn into a feud. He wants to see the Horse Patrol reinstated and the entire issue put to rest.

Douglas Fairbanks of 107 May St. spoke in favor of allowing Officer Vaughan to purchase Dreamer.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. In consideration of an order to Make-safe or Demolish for property located at 539 Paris Ave.

Lloyd Teets of 116 East Elm St. described himself as a frequent critic of the Building Department's policy for make-safe or demolish, because they do not state which of the nine criteria apply to a particular property. However, he does believe this house to be a dangerous or unsafe building according to at least 3 of the established criteria and is in agreement with an order for make-safe or demolish.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

Robert Vertalka, no address given, spoke regarding the claim of Grove Park Apartments. This claim arose from a sewer backup that caused 14,000 pounds of sewage to backup into the basement of the apartments. There is no way that 14,000 pounds of raw sewage could have been generated by an 8 unit apartment house. Public Service Employees told them that the backup was the fault of the City.

Lori Ganzer of 4204 Pleasant Grove spoke regarding the resolution from the Committee on Public Safety regarding the Pleasant Grove Traffic Study. She said the neighborhood is primarily concerned with the safety of the children. The average speed of motorists is 42 miles per hour. The speed limit on Pleasant Grove Road is 30 mph. She is asking to have the speed limit lowered to 25.

Lloyd Teets of 116 E. Elm St. spoke in support of the resolution of approval on the claim of Grove Park Apartments. He said if we reduce the speed limit on Pleasant Grove Rd. to 25 mph then we can reduce the speed limit on all major streets. The people who bought homes along Pleasant Grove Rd. must have known when they bought their homes what the speed limit was and what traffic on that street is like. He feels it is good public policy to require board members to be interviewed by Council prior to confirmation of their reappointment.

Vicky Treloar of 22151 Mary Avenue said the name of the street is not Pleasant Grove Highway, it is Pleasant Grove Road. There are 500 children using Pleasant Grove every day to go to the Boys and Girls Club. She does not think the street is wide enough for a parking lane and a left turn lane.

Harold Leeman of 529 N. Francis said that Mayoral appointees that have been seated on City Boards for 10 to 15 years need to be interviewed because the Community around them has changed. He said the policy statement does not need to include language regarding Councilmembers making one to one contact with Board members.

Douglas Fairbanks of 107 May St. suggested that the City put out a "decoy" Police car with mannequins in it to help with the speeding problems on Pleasant Grove Rd.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letters requesting a "Thirteenth" annual check for Police and Fire retirees from:

- Arthur DeLau, President of the Lansing Retired Policemens' & Firemens' Association
- Walter Horiszny, Retiree
- Thomas Bircham of Box 366, Wetmore, MI, Retiree

REFERRED TO THE MAYOR, THE COMMITTEE ON WAYS AND MEANS, AND THE POLICE & FIRE RETIREMENT BOARD OF TRUSTEES

B. Letter from the Department of Transportation regarding Resolution #303, adopted by the City Council on June 8, 1992 requesting the State of Michigan delay proposed traffic signal installations on Seymour St.

REFERRED TO THE MAYOR

C. Letter from the Department of Natural Resources regarding Snell Environmental Group's request for preliminary plat approval

RECEIVED AND PLACED ON FILE

D. Letter from Lloyd Teets of 116 E. Elm Street regarding subpoena's for his trial scheduled for July 21, 1992

RECEIVED AND PLACED ON FILE

E. Rezoning petitions:

1. Z-10-92, Lot 4 & N. ½ of Lot 5, Block 1 Hudson's Addition, Regent St., to rezone from "J" Parking to "DM" 3 by Dave Muylie of N & D Investments of 301 Rumsey Avenue
2. Z-11-92, Portion of 1001 N. Capitol Ave to rezone from "J" Parking to "C" Residential by Emanuel First Lutheran Church of 1001 N. Capitol Avenue
3. Z-12-92, 5133 S. Dr. Martin Luther King, Jr. Blvd./Logan St. to rezone from "D-1" to "F" by John D. Tilden of 6171 Cottage Dr., Haslett
4. Z-13-92, Lots 18 and 19 of American Rd. to rezone from "D-1" to "F" by Walter Neller Enterprises, Inc. of 122 S. Grand
5. Z-14-92, 5001 N. Grand River & Vacant Lots in 3300 Block of Sheffer Ave. to rezone from "A", "E-2", and "J" to "F" Commercial by Todd VanderGalien on behalf of Duane Weldon of 5019 N. Grand River

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Petitions for Special Land Use:

1. SLU-11-92, 1001 N. Capitol; 226 W. Kilborn; 1008 N.

Seymour; 1022 & 1024 N. Seymour; 225 and 221 W. Maple from Emanuel First Lutheran Church of 1001 N. Capitol Avenue to move their Day Care program to a permanent location inside the School Facility at 1001 N. Capitol

2. SLU-12-92, 1012 N. Seymour; 1022 & 1024 N. Seymour; 225 Maple; 221 W. Maple and NW portion of 1001 N. Capitol facing N. Seymour from First Lutheran Church of 1001 N. Capitol Ave. to remove existing houses to provide off-street parking in a "C" Residential District for improvement and addition to Emanuel First Lutheran School

3. SLU-13-92, 1022 N. Capitol Ave. and 1026 N. Capitol Ave. from Emanuel First Lutheran Church of 1001 N. Capitol Ave. to remove existing house at 1026 N. Capitol and provide off-street parking in a "C" Residential District for the improvement and addition to Emanuel First Lutheran School

REFERRED TO THE MAYOR AND THE PLANNING BOARD

G. Appeal from attorney's to the Michigan Tax Tribunal on behalf of petitioner Heart of the City Associates

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

MAYOR MAY COMMENT

Mayor McKane cautioned Council that Dreamer only has hay until July 31, 1992. He reported that some of the housing violations at 938 N. Dr. Martin Luther King, Jr. Blvd./Logan St. have been cleaned up. He was contacted by Mrs. Gloria Fleming who notified him that as of July 10, 1992 she has had the grass cut and the lawn cleaned up. She has made an offer to purchase this property. He asked Council to pull the resolution of claim approval for Grove Park Apartments and refer this matter back to Administration for dye testing.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #380

July 10, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

SIGN ERECTOR: A & A Sign, Inc.

TRANSFER CLASS C: The Ramstar Group, Corp

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Belen

To accept the recommendations of the City Clerk

Adopted by the following vote:

YEAS: 7

NAYS: 1

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 6, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney submitting notices for:

1. Hearing on Petition to Strike from the Tax Rolls from James D. Goodin, City Treasurer

RECEIVED AND PLACED ON FILE

2. Appearance, Answer to Petition, and Proof of Service regarding Petitioners appeals to the Michigan Tax Tribunal for the following:

- William P. Nakfoor, MTT Docket No 170813
- Neal Schmitt, MTT Docket No. 169494
- Rivers Edge Associates, MTT Docket No. 171812
- Metro Bowl, Inc.,

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Housing Violations at 938 N. Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2/ Appointment of Elizabeth Aldrich to the Cable Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3/ Prevailing Wage Ordinance Amendment Section 206.18

PULLED FROM THE AGENDA AT THE REQUEST OF MAYOR MCKANE

4/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

Item XIA-1. was pulled from the Agenda at the request of Councilmember Schmidt and referred back to the Committee on Public Safety

RESOLUTION #381

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the various concerns and complaints regarding the operation of the Municipal Market,

REPORTS AS FOLLOWS: At the Committee meeting held on July 10 the Committee heard testimony from a number of individuals, including board members and vendors, who are concerned about the management structure and operation of the Municipal Market. Based on the testimony presented, the Committee is concerned that the current administrative structure is not well-suited to the somewhat unique operations of the Market.

Accordingly, the Committee has requested two reports from the administration. The first report, requested of the Parks and Recreation Director for discussion on July 15, is to identify alternatives to the current administrative structure that would create a more stream-lined and responsive management structure. The second report, requested of the Mayor for review on July 22, is a recommendation on the feasibility of creating a non-profit independent authority to operate the market.

The Committee intends to pursue this matter until a satisfactory resolution can be achieved. This report is for information only, and further Council action is not needed at this time.

Signed: Bob Brockwell
Tony Benavides
Ellen Beal
Committee on Public Services

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

July 13, 1992.

RESOLUTION #382

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the recommendation of the District Court Judges, as concurred with by the Mayor, to balance the FY 93 54-A District Court Budget,

REPORTS AS FOLLOWS: During the City Council FY 92-93 budget deliberations on the proposed District Court Budget the City Council requested the District Court to identify and recommend mechanisms to permanently reduce costs and/or increase revenues. The District Court Judges have responded to this request with a cooperative and practical proposal consisting of the following elements:

1. Reduce equipment, sick leave, and training accounts for a savings of \$63,000.
2. Reduction in Court Security with a savings of \$58,300.
3. Utilization of residual funds in the District Court and Probation Budgets in FY 92-93.
4. Increase the schedule of fines with the goal of increasing revenues by \$80,843.
5. The Voluntary Reduction in Force/Early Retirement program offered to District Court Exempt Staff is expected to save \$26,500.

The Committee has determined that this proposal will achieve the targeted combination of cost reductions and revenue increases consistent with those required of other City Departments and Programs.

The Committee on Ways and Means also discussed the matter of offering the Voluntary Reduction in Force/Early Retirement Program to the District Court Teamsters Bargaining Unit. The Committee has determined that this matter is, consistent with past practice, a function of negotiation between the District Court Judges and the Bargaining Unit. The Committee does recommend that consideration of any Early Retirement Program be tied to a permanent reduction in force.

The Committee hereby recommends the approval of this report.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

July 13, 1992.

RESOLUTIONS

By Councilmember Belen

To table agenda item XII A-1., resolution of approval on the Claim of Grove Park Apartments

Adopted by the following vote:

YEAS: 6

NAYS: 2

RESOLUTION #383

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Ms. Pauline Johnson-West to the Cable Advisory Board for a term to expire June, 1996, is hereby confirmed.

July 13, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #384

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-017, which authorizes the installation of a traffic signal at the intersection of Dunckel Road and Jolly Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #385

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-018, which authorizes the installation of an all way stop at the intersection of Kendon Avenue and Southgate Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #386

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-019, which authorizes the installation of a no parking zone on Mason Street near the intersection of Cedar Street.

By Councilmember Schmidt

Carried unanimously

Item XII B-4., resolution on the Traffic Study for Pleasant Grove Road, was pulled from the Agenda at the request of Councilmember Schmidt and returned to the Committee on Public Safety

RESOLUTION #387

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Mr. Edward F. Cook to the Traffic Board for a term to expire June, 1996, is hereby confirmed.

By Councilmember Schmidt

July 13, 1992

Carried unanimously

RESOLUTION #388

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Mr. Willard Walker to the Police Board for a term to expire June, 1996, is hereby confirmed.

July 13, 1992

By Councilmember Schmidt

Carried unanimously

RESOLUTION #389

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in accordance with the Lansing City Charter, appointees to citizen boards are nominated by the Mayor and confirmed by the City Council; and

WHEREAS, past practice has created a tradition in which new appointees have been invited to a meeting of the appropriate Council committee for an interview prior to confirmation of the appointment, but reappointees have been routinely confirmed without an interview; and

WHEREAS, this tradition has been discussed recently by members of the public and by the Council, some of whom are in favor of interviews for reappointees; and

WHEREAS, several citizen board members have responded that an interview requirement for confirmation of a reappointment is perceived as offensive, and as an indication that the Council has little regard for their years of volunteer service; and

WHEREAS, this Council intends no slight or offense against any citizen who has served or is serving on a City board and who may be called for an interview prior to Council confirmation of appointment or reappointment; and

WHEREAS, the Council believes that since the Charter is silent on this matter, a policy statement is appropriate;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby establishes the following policy regarding action on Mayoral appointees prior to confirmation:

1. New appointees to City boards shall routinely be interviewed by the appropriate Council Committee, which shall forward its recommendation on the appointment to the Council by means of a resolution of confirmation, or a committee report otherwise.

2. Reappointments of boardmembers to additional terms shall be referred to the appropriate Council Committee, which shall decide by majority vote whether its members desire to interview the boardmember before making its recommendation to the Council.

3. Any Councilmember may privately contact a boardmember with whom he or she is unfamiliar in order to build a working relationship for the benefit of the People of Lansing.

July 13, 1992

By Councilmember Beal

To amend the resolution by striking the fourth (4th) and fifth (5th) paragraph

Carried unanimously

By Councilmember Ford

To further amend the resolution by striking number 3. under NOW, THEREFORE, BE IT RESOLVED

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #390

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on July 6, 1992, Dr. Jack G. Griffin passed away at the age of 63; and

WHEREAS, Jack was widely known and respected for his career as a teacher and developer of innovative programs for youth; and

WHEREAS, he also served the City for many years as a charter member of the Board of Urban Redevelopment, first appointed in 1964, and later as member and chair of the Housing and Redevelopment Advisory Board; and

WHEREAS, Jack played a key role in the redevelopment of downtown Lansing, especially along the Grand River, planning the acquisition of parcels of property with federal funds in order to

create Riverfront Park and the North Washington Square Mall, as well as to allow expansion of Lansing Community College; and

WHEREAS, the impact of Jack's inspired volunteer work as a member of these boards will be felt by the next several generations of Capital City residents and visitors;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends the life and accomplishments of Dr. Jack G. Griffin, and expresses heartfelt sympathy to his wife and family.

By Councilmember Belen

Carried unanimously

RESOLUTION #391

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2908 Midwood Street, legally described as:

3305 06 201 051

E ½ of S ½ Lot 58 Maple Grove Farms No. 2

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 28, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 6, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 13, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the

address shown on the records. Upon his failure to apy the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

July 13, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #392

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 706 Isbell Street, legally described as:

3301 22 354 211

Lot 3, Block 2, Assessor's Plat No 28

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 28, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 6, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 13, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to apy the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to

the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

July 13, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #393

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 801 West Saginaw, legally described as:

3301 17 227 261

E 55 ft. Lot 7, White's Sub E of Butler

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 28, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 6, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 13, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

July 13, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #394

BY COMMITTEE ON WAYS AND MEANS
FY-1993

7/13/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$37,097.00 from Dt. Ct.-Est. Rev.

A/C 760-000000-170001-00000

37,097.00 to Dt. Ct.-Bgt. Ctrl. A/C 760-132201-992200-00000

(Additional funds needed for staff to perform mandated services. Based on increases in fees. (760-132201-702000-0 \$27,277; 760-132201-715000-0 \$9,820)

\$80,843.00 from Est. Rev.

A/C 101-000000-170001-00000

43,746.00 to Prob.-Bgt. Ctrl. A/C 101-132210-992200-00000

(Additional funds needed for staff and contractual services to perform mandated functions (101-132210-702000-0 \$40,850; 101-132210-743000-0 \$2,896)

37,097.00 to Dt. Ct. Exp. A/C 101 132200 992200-00000

(Additional funds needed for staff to perform mandated functions. Based on increases in schedules of fines)

Submitted By:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell a Committee Report by the Committee on Public Services regarding the Administration of the City Market

HANDLED AS RESOLUTION #389

2/ From Councilmember Brockwell a Resolution by the Committee on Public Services requiring the owners of property at 2908 Midwood St. to make-safe or demolish their structure within 20 days of July 13, 1992

HANDLED AS RESOLUTION #391

3/ From Councilmember Brockwell a Resolution by the Committee on Public Services requiring the owners of property at 706 Isbell to make-safe or demolish their structure within 20 days of July 13, 1992

HANDLED AS RESOLUTION #392

4/ From Councilmember Brockwell a Resolution by the Committee on Public Services requiring the owners of property at 801 W. Saginaw to make-safe or demolish their structure within 20 days of

July 13, 1992

HANDLED AS RESOLUTION #393

5/ From Councilmember Beal a letter from Richard O. Bernitt of 2510 Tulane regarding his request for exemption from the recycling collection fees

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES**

6/ From Councilmember Benavides a Committee Report from the Committee on Ways and Means regarding extension of the Early Reduction in Force Plan to District Court employees

HANDLED AS RESOLUTION # 382

7/ From Councilmember Benavides a Resolution of Transfer for District Court from the Committee on Ways and Means

HANDLED AS RESOLUTION #394

REMARKS BY THE MAYOR

Mayor McKane announced that the second meeting of the McConnell Task Force will be held Wednesday, July 15, 1992 at the Walter French Junior High School building

REMARKS BY COUNCILMEMBERS

Councilmember Beal noted that the Special Land Use Requests for property around Emanuel First Lutheran Church were referred to the Planning Board. She recalled making a request for a moratorium on demolition. Many neighbors are against these requests. She remarked on the article appearing in today's State Journal regarding the Bicycle Cop. He saves \$25.00 per day in gasoline. She thinks Lansing should pursue this option.

Councilmember Ford announced that Sam & Jay Vincent will hold a Reunion, Basketball Clinic at Walsh Park on Saturday, July 18, 1992 from 10:00 A.M. to 12:00 P.M. This will serve as a kickoff for their Scholarship fund for the youth of that area. The Scholarships will be given out at Everett High School Basketball Games this year. There will be food, music, and entertainment.

Councilmember Schmidt asked Mayor McKane for a response to the memo she forwarded to him from County Commissioners regarding alternative sentencing. She said there are assumptions made on the second page and asked the Mayor to respond to them at the Public Safety Committee meeting this Wednesday. She said she has received complaints about boom boxes in open trucks, especially at the Northrup and S. Washington intersection. This is a 4-way stop and they have 3-4 occurrences on a daily basis between 3:30 and 7:00 A.M. This is a violation of the noise ordinance.

Councilmember Brockwell said that some of the Community Policing Officers have bikes and maybe they can be used to catch some of the boom boxers. He said the Downtown Neighborhood Association held a "walk through" last Sunday.

CITIZENS MAY COMMENT

Harold Leeman of 539 N. Francis said that President Crawford should restrict Council Committees from meeting on Fridays

because of the amount of late items it generates for the meeting. Meetings that cannot be held at their regularly scheduled time because of scheduling problems should be held over to the next week. He reminded Council that he is still waiting for their response to the McKinney issue.

William Bernstein of 420 Baker St. spoke regarding his "unfair trial" for disturbing a public assembly.

Douglas Fairbanks of 107 May St. said Council should offer resolutions of tribute to Mayor McKane, Councilmember Belen and Councilmember Schmidt. He asked for enforcement of the No Turn on Red sign at the corner of Washington and Michigan Avenues.

Bob Vertalka, on behalf of Grove Park Apartments said they would be glad to have the City's Engineers take a look at the sewer lines if necessary. No way is it possible that this 8 unit apartment complex generated 14,000 gallons of raw sewage. He said they will be happy to cooperate with the City in any way they can. They originally filed their claim back in February 1992 and would like some type of resolution on it.

Lloyd Teets of 116 E. Elm said that he had a letter on problems at the City Market. He objected to the number of late items submitted for action tonight. They should be kept at a minimum. In response to Councilmember Benavides' comments last week he listed his role models as Rosa Parks, Martin Luther King, Jr., and Thomas Jefferson. He described himself as an idealist, someone dedicated to doing the right thing.

Catherine Curtis of 1019 Clare St. asked if there will be a disclaimer in the sale agreement for Dreamer exempting the city from liability in case he throws a rider.

ADJOURNED 9:00
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

262

Proceedings, July 20, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
July 20, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules

1/ From Councilmember Schmidt a letter from Michael B. Farrell, Trustee of the Board of Ingham County Park Trustees regarding an upcoming biathlon and bicycle race sponsored by Lansing Parks and Recreation as part of the Great Lake State Games

2/ From Councilmember Schmidt claim of Betty Nemeth of 1801 Forbes

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 East Elm Street called the plans for revitalization of the City Market a "band aid" and said that solving the problems at the market will require stronger action. Regarding the suspension of Martone Williams by the Cable Advisory Board, he said this action was too strong. This is a 17 to 18 year old young person whose interest in and efforts to produce a television show is admirable. He feels that it is more dangerous to have a marked parking lane on Pleasant Grove Road because of the danger of children running out from between parked cars.

Harold Leeman of 529 North Francis corrected the date of publication of the editorial which is the subject of his letter to Council under communications and petitions.

Lee Shunk, Jr. of 601 Leslie suggested that the city put a radar activated camera system on Pleasant Grove Road and automatically send speeders tickets through the mail.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full

and the proper referrals made by President Crawford

A. Additional requests signed by 22 residents to allow Officer Vicki Vaughan to purchase "Dreamer" the horse

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. Claim appeal from Charles Porter of River Knoll Drive, Haslett, MI 48840

REFERRED TO THE CITY ATTORNEY

C. Request for Non-Profit Status from Capitol Child Development Center of 218 W. Ottawa St.

REFERRED TO THE CITY ATTORNEY

D. Letter from Charles A. Fox, no address given, retired Police Department Employee, requesting a '13th Annual Retirement Check'

REFERRED TO THE MAYOR AND
THE POLICEMEN AND FIREMEN'S RETIREMENT BOARD

E. Letter from Harold Leeman of 529 N. Francis regarding a Editorial that appeared in the Lansing State Journal on July 13, 1992 on the City's purchase of the "Sin Strip"

RECEIVED AND PLACED ON FILE

F. Letter from Lloyd Teets of 116 E. Elm St. regarding the loss of vendors at the City Market

REFERRED TO THE MAYOR

MAYOR'S COMMENTS

Mayor McKane outlined his nine letters on tonight's agenda

CITY OFFICER AND BOARD REPORTS

A. RESOLUTION #395

July 17, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

POOL ROOM/BOWLING ALLEY: David Bateman

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 13, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letter from John W. Davis, 54-A District Court Chief Judge requesting security coverage for the Court

REFERRED TO THE MAYOR

D. Letters from the Mayor re:

1. Appointment of Nancy J. Carlson to Board of Zoning Appeals

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2. Notice of the Reappointment of Cleo Cipicchio, Mary Derby and Valla Nemeth to Mayor's Citizens Advisory Committee on Recycling

RECEIVED AND PLACED ON FILE

3. Sole Source Procurement Report for Third Quarter of 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Jerry Simpson v City of Lansing

RECEIVED AND PLACED ON FILE

5. Letter of Support for Lansing Center Expansion Plans from Waterfront Development Board

REFERRED TO THE COMMITTEE OF THE WHOLE

6. Thank You Letter Senior Power Day Board of Directors

RECEIVED AND PLACED ON FILE

7. ACT-12-92, 111 South Cedar, Ranney Subdivision

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

8. Public Improvement III—PS #45040 Sidewalk Improvements

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

9. City Market Staff Realignment

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

COMMITTEE REPORTS

RESOLUTION #396

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the report from the Planning Board and the Mayor on ACT-12-92, 111 South Cedar, which is a request from the Board of Water and Light to purchase Lot 26 of Ranney Subdivision for construction of a pump station and an electrical switch gear facility,

REPORTS AS FOLLOWS: The Planning Board and the Mayor have recommended that the BWL's request be denied, proposing instead to have the BWL construct the pump station on land they already own. The BWL has agreed to the alternate property arrangement, and the Committee is sponsoring a resolution on this agenda to approve a 20-foot utility corridor as part of the agreement. The Committee on Physical Development recommends that the BWL's original request to purchase Lot 26 of Ranney Subdivision be denied.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

July 20, 1992

BY COUNCILMEMBER CANADY:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTION #397

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the various concerns regarding the operation of the Municipal Market,

REPORTS AS FOLLOWS: The Committee received a verbal report from the Director of Parks and Recreation as requested in the committee report dated July 13th. In essence the Director acknowledged that the individual duties of the employees involved need to be reaffirmed and, where applicable, revised in order to clearly establish individual responsibilities and lines of authority. The Parks Director also communicated the Mayor's recommendation that the concept of establishing an independent non profit authority is, at this time, premature.

Based on this report, and on the discussion in the last two committee meetings, the Public Services Committee is requesting detailed responses to the following concerns:

1. A recommendation as to the philosophy, goals, and objectives of the Municipal Market. This recommendation should specifically address the Market Composition Plan, marketing, and hours of operation.

2. Define who will be responsible for the day-to-day operations of the market, including specific authority to resolve complaints and to enforce the standing rules and regulations.

3. Define who will be responsible for leasing agent responsibilities, and who will be authorized to approve any exceptions to the Market Composition Plan.

4. A recommendation addressing the current problem of providing adequate and timely custodial services

The Committee anticipates that the final recommendation will involve the Parks Department, the Market Advisory Board, and the Mayor. While addressing these specific issues the Committee requests that any options to improve service delivery be identified, evaluated, and communicated to the Committee. The Committee anticipates reviewing this report in thirty days. No action is needed by the Council at this time.

SIGNED: Bob Brockwell
Tony Benavides
Ellen Beal

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

July 20, 1992

RESOLUTION #398

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the matter of amending Chapter 206 of the City Code of

Ordinances by adding a new Subsection to Section 206.13(d) of the Purchasing Ordinance for the purpose of exempting horses, dogs, or other animals owned by the City and being used by the Police Department or any other Governmental Agency from the requirements related to the sale or disposal of obsolete or surplus supplies,

REPORTS AS FOLLOWS: The Committee recommends that said Ordinance be adopted.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

July 20, 1992.

RESOLUTIONS

RESOLUTION #399

BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council granted Commercial Facilities Exemption Certificate #83-005 to Rexford Carl, Jr. to renovate existing property at 503 East Grand River Avenue, Lansing, and;

WHEREAS, the granting of this certificate was contingent upon certain renovation criteria taking place and since the extent of the work performed to date is not consistent with the improvements described in this certificate, this certificate should be revoked as referenced by Section 14 of P.A. 255; and

WHEREAS, due notice has been given for a public hearing on the revocation of this Commercial Facilities Exemption Certificate granted to Rexford Carl, Jr.; and

WHEREAS, at such hearing held on the 29th day of June, 1992, all parties interested therein were heard and given due consideration; and

NOW, THEREFORE, BE IT RESOLVED, that this Council finds that no good cause exists as to why the holder of the certificate has failed to complete the renovation to the facility within the time frame granted by the certificate; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Council of the City of Lansing hereby immediately revokes the Commercial Facilities Exemption Certificate #83-005 granted in 1983 to Rexford Carl, Jr., 503 East Grand River Avenue, Lansing, Michigan; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City Clerk shall mail a copy of this resolution to the holder of the certificate and shall record a copy of this resolution with the Ingham County Register of Deeds.

By Councilmember Belen

Carried unanimously

RESOLUTION #400

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Rosalie Allen filed a claim against the City in the amount of \$5,625.40 in protest of several special assessments placed on a residential property located at 920 North Chestnut; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services, and the claimant appeared before the Committee furnishing testimony and evidence in support of her claim; and

WHEREAS, the Committee found that Ms. Allen had sold the subject property on a land contract, the new owner incurred the special assessments in 1989, 1990 and 1991, Ms. Allen repossessed the property through forfeiture proceedings with the assessments still due and payable, and Ms. Allen subsequently sold the property again with a legal arrangement obligating the buyer to pay the assessments, although no payments have been made; and

WHEREAS, the Committee finds no fault with the City's process in levying the special assessments, and recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Rosalie Allen; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

July 20, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #401

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Cable Advisory Board has investigated a complaint by Martone Williams against Continental Cablevision, including testimony by both parties; and

WHEREAS, the Board has found that Continental Cablevision was within its rights, as the manager of the public access facility required by the City's franchise agreement, to suspend for one year Mr. Williams privileges to use public access equipment and facilities due to repeated rule violations; and

WHEREAS, the Board recommended that Mr. Williams' complaint be dismissed, and that the one-year suspension of public access privileges imposed on Mr Williams be upheld as reasonable; and

WHEREAS, the Committee on General Services invited Mr. Williams to appear, rescheduled this matter twice at his request, and proceeded with review of the Board's recommendation when Mr. Williams did not attend on the date he requested; and

WHEREAS, the Committee concurs with the Board's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the Cable Advisory Board to dismiss the complaint by Martone Williams against Continental Cablevision, and upholds the company's one-year suspension of Mr Williams, public access privileges, with such suspension having begun on March 2, 1992; and

BE IT FURTHER RESOLVED the Council Staff is directed to forward a copy of this resolution to the complainant and to the cable operator.

By Councilmember Ford

Carried unanimously

RESOLUTION #402

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing:

that it is hereby determined to be of a public necessity to construct curb and gutter and the necessary storm drainage facilities to serve properties on Christansen Road from Hillcrest to Mary Ave. according to the petition (see valid petition attached) signed by 82% of the benefitted owners and by owners of 87% of the benefitted frontage lots.

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners, and that the City's share be funded using source accounts #: 401-933615-973000-41413 and 403-933601-974100-42101.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby authorized to acquire the necessary permanent easements and right of way and to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

By Councilmember Canady

Carried unanimously

RESOLUTION #403

ACT-12-92

111 SOUTH CEDAR

BOARD OF WATER AND LIGHT REQUEST

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT WHEREAS, the Board of Water and Light has requested to acquire Lot 26, Ranney Subdivision from the City for the purpose of constructing a new water pump station and electrical switch gear facility;

WHEREAS, the Planning Board reviewed the request under the provisions of ACT 285 of Michigan P.A. 1931, and determined that the City's best interest would be to deny the request and establish a utility access corridor of 20 feet along the south property line of Lot 26, Ranney Subdivision and reserve the remainder of Lot 26 to be assembled with the additional land fronting Michigan Avenue for future development; and

WHEREAS, the Board of Water and Light has agreed to place the new pump facilities on their presently owned parcel (Lot 25) at the

north end of the South Cedar Street reservoir and use the proposed utility access on Lot 26 to service their facilities; and

WHEREAS, the Council Committee on Physical Development concurs with the Planning Board recommendation; and

NOW THEREFORE BE IT RESOLVED that the City Council approved a twenty (20') foot utility corridor and access route adjacent to the south lot line of Lot 26, Ranney Subdivision extending from Cedar Street through to Larch Street.

By Councilmember Canady

Carried unanimously

RESOLUTION #404

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor and Traffic Board have recommended several traffic and parking changes on Pleasant Grove Road between Holmes Road and Jolly Road in response to requests from area residents; and

WHEREAS, the Committee on Public Safety reviewed the recommendations and accident history of this section of Pleasant Grove Road, and heard testimony from the Transportation Engineer and a resident; and

WHEREAS, the Committee recommends that the current traffic pattern of one lane in each direction be maintained, that the parking prohibition be removed except in the area of Pleasant View School and the Boys & Girls Club, that the Transportation Division mark the road pavement with "T"s and "L"s to identify parking spaces, and that the Transportation Engineer prepare and deliver a report to Council on the impact of these changes one year after their approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves Traffic Control Order Number 92-020, which authorizes the installation of revised parking restrictions on Pleasant Grove Road between Holmes Road and Jolly Road; and

BE IT FURTHER RESOLVED the Mayor is requested to direct the Police Department to increase enforcement of speed and traffic regulations on Pleasant Grove Road; and

BE IT FURTHER RESOLVED the Mayor is requested to direct the Transportation Engineer to study the impact of the changes contained in this resolution and report back to Council one year after its adoption.

July 20, 1992

By Councilmember Schmidt

Carried unanimously

RESOLUTION #405

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 131 Island Street, legally described as:

3301 21 328 011

N. 47 ft. of W. 48 ft. Lot 5 & N 47 ft of E 2 ft lot 6, Block 2, McKibbin's Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 28, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 6, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 20, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #406

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 539 Paris Street, legally described as:

3301 28 433 081

Lot 259, South Parkwood Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 28, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 6, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 20, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

Carried unanimously

RESOLUTION #407

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the downtown business area by improving and maintaining the Washington Mall and Environs area; and

WHEREAS, the City of Lansing desires to insure a clean and orderly appearance of the public malls and walks areas by providing planter tub maintenance, special clean up employees, mechanical sweeping operations, snow clearing, and snow ridge cut throughs; and

WHEREAS, the City of Lansing has determined that various promotional efforts of the Downtown Merchants Association need to be supported by providing holiday decorations throughout Districts 1 and 2; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment districts established for

special assessment; and

WHEREAS, the City of Lansing has determined that a portion of the costs of providing such services should be recovered by a special assessment of them against properties especially benefitted as authorized by 1984 PA 260 and Chapter 1026.08 (a-f) of the Lansing Code of Ordinances; and

WHEREAS, the Downtown Mall and Environs Advisory Board has reviewed and proposed special assessment district boundaries involving two maintenance areas; and

WHEREAS, the Downtown Mall and Environs Advisory Board has proposed specific services within each district along with the estimated costs for these services; and

NOW, THEREFORE BE IT RESOLVED that two (2) special assessment districts for maintenance be established by the City Council as follows:

District 1. Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

District 2. Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

BE IT FURTHER RESOLVED, that the maintenance services within each district along with the estimated costs for these services plus the city's estimated administrative overhead be recovered by a special assessment of these costs against the properties especially benefitted as follows:

District 1—Fifty percent of the costs of planter tub maintenance, and one hundred percent of the costs of special cleanup employee responsibilities, snow clearing, mechanical sweeping, holiday decorations and administrative overhead for those services required either on the Washington Mall sidewalk areas (estimated cost of \$60,060) or on the sidewalk areas off the Washington Malls (estimated cost of \$67,483); and

District 2—One hundred percent of the costs of special clean up employee responsibilities, snow clearing and mechanical sweeping, holiday decorations and administrative overhead for those services required on the sidewalk areas (estimated cost of \$36,142); and

BE IT FURTHER RESOLVED, that the City Assessor is requested to prepare an assessment roll assessing all properties on the basis of

each property's total front footage for those services specifically provided for in that area of the district; and

BE IT FURTHER RESOLVED, that the special assessment roll be subscribed by the City Assessor and returned to City Council on or before August 3, 1992; and

BE IT FURTHER RESOLVED, that a public hearing to confirm the special assessment roll will be held on Monday, August 3, 1992 at 7:00 P.M., in Durant Park, 719 N. Washington Avenue, Lansing, Michigan; and

BE IT FINALLY RESOLVED, that the City Clerk publish notice of hearing to confirm the special assessment roll in a newspaper of general circulation for five (5) consecutive days prior to the date of the hearing and the notice of confirmation hearing be mailed to each property owner or party of interest in property to be assessed.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #408

BY COMMITTEE ON WAYS AND MEANS

7/20/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-1992

That the following transfers be approved:

\$11,614.00 from Dt. Ct.-Est. Rev.

A/C 760-000000-170001-00000

11,614.00 to Dt. Ct.-Bgt. Ctrl. A/C 760-132201-992200-00000

(June payment to Quad Tran Inc. for parking collections in excess of remaining balance (760-132201-743100-0))

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #409

BY COMMITTEE ON WAYS AND MEANS

7/20/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY 1993

That the following transfers be approved:

\$33,645.00 from Forf.-Est. Rev. A/C 265-000000-170001-00000

33,645.00 to Police-Forf. Fund—Bgt. Ctrl

A/C 265-343253-992200-00000

(Adjust Metro budget for increased cost of grant match requirements (265-343253-991273-0: \$20,097; balance of funds to come from other accounts), and purchase of video and communications equipment for R.E.A.C.H. (265-343254-977000-0: \$13,548.)

Submitted By:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Benavides

That we proceed to the passage of Ordinances.

By Councilmember Benavides

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Benavides

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 206, Section 206.13(d) for the purpose of exempting horses, dogs, or other animals owned by the City and being used by the Police Department or any other Governmental Agency from the requirements related to the sale or disposal of obsolete or surplus supplies be placed on order of immediate passage

By Councilmember Benavides

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 206, Section 206.13(d) for the purpose of exempting horses, dogs, or other animals owned by the City and being used by the Police Department or any other Governmental Agency from the requirements related to the sale or disposal of obsolete or surplus supplies be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 854

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND CHAPTER 206 OF PART TWO, TITLE TWO OF THE LANSING CODE OF ORDINANCES BY ADDING A SUBSECTION TO SECTION 206.13(d) FOR THE PURPOSE OF EXEMPTING HORSES, DOGS, OR OTHER ANIMALS OWNED BY THE CITY AND BEING USED BY THE POLICE DEPARTMENT OR ANY OTHER GOVERNMENTAL AGENCY FROM THE REQUIREMENTS RELATED TO THE SALE OR DISPOSAL OF OBSOLETE OR SURPLUS SUPPLIES.

The City of Lansing ordains:

Section 1. That Section 206.13(d) of the Code of Ordinances of the City of Lansing, Michigan, is hereby amended by adding the following subsection:

(1) THIS SUBSECTION SHALL NOT APPLY TO HORSES, DOGS OR OTHER ANIMALS OWNED BY THE CITY AND BEING USED BY THE POLICE DEPARTMENT OR BY ANY OTHER GOVERNMENTAL AGENCY IN THE COURSE OF ITS DUTIES. WHENEVER THE POLICE DEPARTMENT OR OTHER GOVERNMENTAL AGENCY SUBMITS A WRITTEN REPORT TO THE DIRECTOR DECLARING THAT AN ANIMAL IS SURPLUS AS TO THE POLICE DEPARTMENT'S OPERATION AND NEEDS, THE

CITY EMPLOYEE IDENTIFIED BY THE POLICE CHIEF AS BEING RESPONSIBLE FOR THE ANIMAL SHALL HAVE THE RIGHT OF FIRST REFUSAL TO PURCHASE THE ANIMAL FROM THE CITY AT A FAIR MARKET VALUE DETERMINED BY THE CITY. IN THE EVENT THE CITY EMPLOYEE FAILS OR REFUSES TO PURCHASE THE ANIMAL WITHIN THE TIME FRAME SPECIFIED BY THE DIRECTOR, THE CITY SHALL SELL OR DISPOSE OF THE ANIMAL IN A HUMANE WAY AS DIRECTED BY THE MAYOR.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Belen

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt a letter from the Michael B. Farrell, Trustee of the Board of Ingham County Park Trustees regarding an upcoming biathlon and bicycle race sponsored by Lansing Parks and Recreation as part of the Great Lake State Games

REFERRED TO THE MAYOR

2/ From Councilmember Schmidt claim of Betty Nemeth of 1801 Forbes

REFERRED TO THE CLAIMS REVIEW COMMITTEE

TABLED ITEMS

A. Resolution of approval on the Claim of Grove Park Apartments from the Committee on General Services

There was no motion to remove this item from the table

MAYOR'S REMARKS

Mayor McKane announced the third meeting of the Leonard R. McConnell Task Force to be held at the Kingsley Community Center this Wednesday, July 22, 1992 at 7:00 P.M., the next meeting will be July 28, at 9:00 A.M., the last meeting on August 12, at 7:00 P.M. He expressed his sympathy to the family of Officer Johnathan Staten, who passed away over the weekend. His funeral will be held on Wednesday at 11:00 at Westminster Presbyterian Church. Mayor McKane appealed to all drivers to be careful not to run red lights. He was nearly involved in an accident that was the result of a driver speeding up to get through a yellow light. This caused an accident for the car next to him. He urged everyone to slow down and stop at yellow lights rather than speeding up to go through them.

COUNCILMEMBER'S REMARKS

Councilmember Canady congratulated Channel 28 Production Manager, Karen Schmidt on the birth of her baby girl, Kallie, early this morning. He said the schedule for Channel 28 for this week is correct even though it has last week's date on it. He reminded everyone that on August 3, 1992 Lansing City Council will kickoff National Night Out by conducting the Council meeting in Durant Park on Capitol Avenue.

Councilmember Belen asked for the status on the sale of Pregooris Park. She said we should dispose of the property quickly and to someone who will not subdivide it.

Councilmember Brockwell said that Community Policing Officers are many different things to many people. They have a very stressful job. He said Officer Staten will be missed by his peers and his family. He announced that WKAR TV will air a program tonight on the basketball league developed by the Brotherhood Against Drugs to provide alternative activities for kids. The Committee on Public Services will not meet this Wednesday.

Councilmember Ford thanked Parks and Recreation Department, R. Eric Reickel for having Walsh Park in such good shape for last Saturday, and for having Police Officers there to interact with everyone. He announced that the Committee on General Services will not meet this Wednesday as scheduled.

Councilmember Schmidt asked that anyone who posts a rummage sale sign on a light post, telephone pole, tree, or street sign, remember they are responsible for removing the signs within 24 hours of the end of the sale. She announced that the Committee on Public Safety will not meet this Wednesday.

Councilmember Benavides announced that there will not be a Ways and Means Committee meeting on Wednesday.

PUBLIC COMMENTS

Tom Shields of 1118 Riley said that Council sounds as if they don't want to lose Dreamer, the horse, but they voted him out of a job. He asked about Zoo Director, Doug Finley's post retirement plans, and if the old England Cook building would be demolished to facilitate the renovation of the Lansing Center.

William Bernstein of 420 Baker St. demanded that he be given an answer to his question about why he was forced by the City Attorney to remove his sign three weeks ago.

Kim Gower of 10800 S. Hollister thanked Council for the amendment to the purchasing ordinance for Dreamer. She said he would have a very good home and be well taken care of.

Lee Shunk, Jr. of 601 Leslie St. said that he believes interviews for city board members are appropriate. He apologized to Councilmember Beal for a phone call he made to her.

Larry Miller of 3515 Davison said he purchased property at 1122 W. Allegan last year. The other day he received a phone call from one of the neighbors telling him that his property was scheduled for demolition. He intends to get a home improvement loan, but he needs the City to stop the demolition of this house so that he can repair the property. Councilmember Ford asked Councilmember Brockwell if this matter could be taken up at this week's General Services Committee meeting. Councilmember Brockwell responded that, since the Public Services Committee meeting has been canceled, he would be sure to talk to Mr. Hernandez about the house this week. Councilmember Ford asked to be informed of the outcome of this meeting.

Harold Leeman of 529 N. Francis asked if the Ad Hoc Committee on Early Retirement met tonight. He asked for clarification of the amount of time it would take to complete the study on the Lansing Center, and if they would hold another public hearing for any changes incorporated into the plan. He protested a secret meeting held last week that was attended by President Crawford, Councilmember Canady, Lansing 2000, and the Convention/Exhibition Authority Board, in which the issue of Kevin McKinney was

brought up.

Dr. Earl T. Pauley, Jr. of 601 N. Cedar St. asked about the status on the demolition of 808 Cedar St. This property is a boarded up eye-sore. He commended Councilmembers for working hard to protect the residents of the City of Lansing and the State of Michigan.

Lloyd Teets of 116 East Elm St. reminded everyone that on October 21, 1991 he was arrested for trespassing and disturbing a public assembly. The City is now seeking to have these charges against him dismissed. He will oppose the city's attempts to dismiss the charges so that he may test freedom of speech laws. He said that he has been thrown out of Council twice since then and would have been thrown out a third time if he had not shut up when he was told to. There has been a little more decorum used in Council Chambers lately, but he is not confident that it will continue, therefore he wants this trial to go forward so that he can protect his rights. He asked how many members of the Greater Lansing Chamber of Commerce have businesses inside the city as opposed to business outside of city limits.

Douglas Fairbanks of 107 May St. wished Councilmember Schmidt a happy birthday.

Tony Thomas of 3709 Pleasant Grove Road said the traffic in this area is terrible. He said there are many other areas of the City that need to be looked at also. The issue, he said, is human life.

ADJOURNED 8:30

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

270

Proceedings, July 27, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
July 27, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

By Councilmember Brockwell

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell a resolution of Make-safe or Demolish within 20 days of July 27, 1992 for property located at 104 S. Dr. Martin Luther King, Jr. Blvd./Logan St.

2/ From Councilmember Brockwell a letter from Nancy W. Erickson, President of the Lansing Board of Education inviting Councilmembers to attend the Board of Education Meetings on a regular basis

3/ From Councilmember Schmidt a letter from the City Clerk recommending approval of a request for a new SDM liquor license to be held in conjunction with a 1991 Class C for Coscarelli's Restaurant and Lounge, Inc.

4/ From Councilmember Benavides a resolution of support for the Spanish Heritage Festival to be held in September 1992

5/ From Councilmember Benavides letters submitted by residents of the Third Ward protesting the opening of a bar on Holmes Road by the owners of the 'Black and Tan'

6/ From Councilmember Ford a resolution of tribute to Cora R. Green

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-06-92, 226 W. Genesee Street request from Bruce Stark to rezone property from "DM-3" Residential to "D-1" Professional Office to allow him to develop a professional office

Bruce Stark of 1147½ S. Washington, the petitioner in this case, spoke in support of his request and stated his availability to answer questions.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT
PUBLIC COMMENT**

Dale Johnson of 1015 S. Washington Ave. said that he is trying to purchase the property at 1006 S. Grand Ave. He has plans to have

it brought up to code within the 90 day period that is allotted.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Application for Transfer of Commercial Facilities Exemption Certificate #85-009 issued to Dennis A. Sherman at 1008 Terminal Rd.

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON ECONOMIC DEVELOPMENT**

B. Appeal to the Michigan Tax Tribunal on behalf of the following Petitioners:

—Robert Associates, Ltd.
—Neal & Kara Schmitt

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

C. Letter from Continental Cablevision submitting their newsletter the "Cable Link"

RECEIVED AND PLACED ON FILE

D. Registration form and information on the National League of Cities 1992 Congress of Cities to be held in New Orleans, Louisiana, November 28-December 2, 1992

RECEIVED AND PLACED ON FILE

E. Memo from American Communities for Cleanup Equity regarding legislation that would protect municipalities from Superfund liability

REFERRED TO THE MAYOR

F. Requests for a "thirteenth check" for retirees of the Policemen & Firemen's retirement system from:

-Fred Bauer of 2008 Holly Way
-Paul Beach of 1413 E. North St.
-Jack L. Schineman of 1301 Oak St.
-Lawrence E. Smith no address given

**REFERRED TO THE MAYOR AND
THE POLICEMEN & FIREMEN'S RETIREMENT SYSTEM BOARD**

G. Letter from Nancy L. Ferrill, Manager of Somerset Apartments protesting the opening of a bar at property next door to them

REFERRED TO THE MAYOR

EXECUTIVE ASSISTANT TO THE MAYOR COMMENT'S

Mr. Boyd outlined Mayor McKane's letters #1, commending WLNS TV for coverage of Goff Days, from the Parks and Recreation Director, #3 Letters of appreciation Boys Training School Property Planning and Development Study, #4 Prevailing Wage Requirements, #12 Housing Enterprise Zones throughout Michigan, #17

MICH-Care Health Insurance Program.

CITY OFFICER AND BOARD REPORTS

A. RESOLUTION #410

July 24, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Country Hayloft, Inc.
PUBLIC DRIVER: Laura Lee Marsh
TRANSFER SDM: Michigania Incorp.

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 20, 1992 for Review

RECEIVED AND PLACED ON FILE

2. 1991 Federal Contract Compliance Audit performed by Deloitte & Touche

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. Letter from the City Attorney submitting appearance, Answer to Petition, and Proof of Service regarding appeals to the Michigan Tax Tribunal for the following Petitioners:

—Harvey and Shirley Ann Altman
—Willowbrook Apartments
—Grove Park Apartments
—Robert Associates

RECEIVED AND PLACED ON FILE

E. Letters from the Mayor re:

1. Letter Commending WLNS-TV for Coverage of Goff Days Hosted by Potter Park Zoological Society and Parks and Recreation Department

RECEIVED AND PLACED ON FILE

2. Boys Training School Property Planning and Development Study

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Boys Training School Property Planning and Development Study—Letters of Appreciation

RECEIVED AND PLACED ON FILE

4. Mandated Changes to Michigan Uniform Crime Reporting System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. Public Improvement II Benton Boulevard Sanitary Sewer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

6. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7. Transportation Center Beat Grant—Grant Expansion FY93

REFERRED TO THE COMMITTEES ON
PUBLIC SAFETY AND WAYS AND MEANS

8. P-1-92, R.E. Olds Plat, Diamond Reo Site

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

9. Ordinance Regarding Prevailing Wage Requirements

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

10. Letter from HUD Re: Lansing Housing Commission's Final Total Weighted Public Housing Management Assessment Program (PHMAP) Score and Status

RECEIVED AND PLACED ON FILE

11. RESOLUTION #411

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: July 22, 1992

SUBJ: Request for Public Hearing Regarding Demolition of the Following Properties: 1006 S. Grand Ave., 3108 Maloney St., 1030 E. Kalamazoo, 516 S. MLK Blvd/Logan St., 3126 S. Cedar St.

The attached request for public hearing regarding the above-named properties is forwarded with my concurrence for your review and appropriate action.

By Councilmember Benavides

To accept the recommendations of the Mayor and set a Public Hearing for August 10, 1992

Carried unanimously

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

12. Public Act 14.7 of 1992 (Which permits the creation of housing enterprise zones in many cities throughout Michigan)

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

13. MICH-Care Health Insurance Program

RECEIVED AND PLACED ON FILE

14. Resolution Granting Request of Oxford Management Company to Spread Payment of Assessment for Public Improvements to Jolly Road Over Three Year Period

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

15. Duane Hastings (Deceased) v City of Lansing

RECEIVED AND PLACED ON FILE

16. Public Improvement V—Mall Maintenance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

17. SLU-03-92, Jurisdictional Hearing (1012, 1016 and 1018

Walsh Street)

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #412

BY: COUNCILMEMBER LUCILE BELEN

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District (CRD-13-85) on November 25, 1985, and has issued a Commercial Facilities Exemption Certificate (#85-009), that shall remain in effect for a period of twelve years, to Mark Lewis on December 16, 1985 for the construction of a new facility on property located within said District; and

WHEREAS, Dennis A. Sherman, 1008 Terminal Road, Lansing, Michigan, having purchased the above-mentioned property in 1991 has recently applied for the transfer of this Commercial Facilities Exemption Certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on Dennis A. Sherman's application for the transfer of the Commercial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk give at least (10) ten days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

BE IT FURTHER RESOLVED, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District (CRD-13 85); and

BE IT FINALLY RESOLVED, that such hearing shall be held in the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, August 24, 1992 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Belen

Carried unanimously

RESOLUTION #413

SIDEWALK RESOLUTION

Resolved, by the City Council of the City of Lansing

WHEREAS, the Lansing City Council ordered on June 8, 1992, that public improvements in the form of sidewalk repairs or construction be made pursuant to Chapters 1024.03 of the Code of Ordinances in front of and adjacent to properties located on the streets in the City of Lansing;

PROPERTY BENEFITTED: All lands bounded by Martin Luther King Jr. Blvd./Logan Street, Mt. Hope Ave., Park Avenue, and Moores River Drive. Also, Stoneleigh between Wabash and Provincial House. Excepting all public streets and alleys and other land deemed not benefitted.

The estimated expense of said improvements based upon the construction bid is as follows:

ASSESSMENT ROLL NO. B-54

	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK REPAIRS	74,767.90	37,120.90
TOTAL COSTS	74,767.90	37,120.90

Project to be part of the 1992 Sidewalk Contract #1, construction project, P.S. #45040.

WHEREAS, the City Assessor has prepared the assessment roll for each property to be assessed for said sidewalk construction and repair improvement and has caused said assessment roll to be placed on file in the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, August 10, 1992, at 7:00 p.m., in the Council Chambers of City Hall, 124 W. Michigan Avenue, Lansing, Michigan, to review, prior to confirmation, said special assessment roll for sidewalk construction and repairs pursuant to P.S. #45040.

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06 (c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts #101-933690-974200-13071.

Charles S. Remenar, Deputy Controller

By Councilmember Canady

Carried unanimously

RESOLUTION #414

BY THE COMMITTEE ON PUBLIC SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 104 S. Logan/Martin Luther King Blvd., legally described as:

3301 17 401 331

Lot 47, Assessor's Plat No. 8

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on May 28, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on July 6, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution July 27, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #415

July 27, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall

Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

NEW SDM IN CONJUNCTION WITH 1992 CLASS C:
Coscarelli's Restaurant and Lounge Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

RESOLUTION #416

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this year, Hispanic Heritage Month will be observed in Michigan from September 15 through October 15; and

WHEREAS, the 1992 theme is "Michigan Hispanics: Impacting the Americas through Education, Economic and Political Strength;" and

WHEREAS, the Capital City acknowledges with pride the daily contributions to our way of life made by our Hispanic residents who have risen to the highest ranks as elected and appointed officials in local government and education, as well as those who have demonstrated expertise and leadership in business and industry;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends and congratulates our Citizens of Hispanic descent as they celebrate their heritage and their impact on our community.

By Councilmember Benavides

Carried unanimously

RESOLUTION #417

BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cora R. Green came to Lansing 48 years ago and has three children, six grandchildren and eight great-grandchildren; and

WHEREAS, not only did Cora help and encourage her children to obtain college degrees but three of her grandchildren as well; and

WHEREAS, Cora has been a Foster Grandparent for nearly 11 years, helping children with special needs at North Elementary School and the School for the Blind; and

WHEREAS, she has been a friend to all these children as well as a source of much love and affection;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends CORA R. GREEN for her outstanding volunteer

efforts on behalf of the children of our community.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell a resolution of Make-safe or Demolish within 20 days of July 27, 1992 for property located at 104 S. Dr. Martin Luther King, Jr. Blvd./Logan St.

HANDLED AS RESOLUTION #414

2/ From Councilmember Brockwell a letter from Nancy W. Erickson, President of the Lansing Board of Education inviting Councilmembers to attend the Board of Education Meetings on a regular basis

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

3/ From Councilmember Schmidt a letter from the City Clerk recommending approval of a request for a new SDM liquor license to be held in conjunction with a 1991 Class C for Coscarelli's Restaurant and Lounge, Inc.

HANDLED AS RESOLUTION #415

4/ From Councilmember Benavides a resolution of support for the Spanish Heritage Festival to be held in September 1992

HANDLED AS RESOLUTION #416

5/ From Councilmember Benavides letters submitted by residents of the Third Ward protesting the opening of a bar on Holmes Road by the owners of the 'Black and Tan'

REFERRED TO THE MAYOR

6/ From Councilmember Ford a resolution of tribute to Cora R. Green

HANDLED AS RESOLUTION #417

TABLED ITEMS

A. Resolution of approval on the Claim of Grove Park Apartments from the Committee on General Services

MAYOR'S EXECUTIVE ASSISTANT REMARKS

Mr. Boyd announced that the August 3, 1992 City Council Meeting would be held at Durant Park in honor of the National Night Out Celebration to be held on August 4, 1992. He announced that Jolly Road will be under construction beginning today, and lasting for 6 weeks. Main St. will also be under construction and traffic will be restricted to one lane. He congratulated Police Commissioner Sherri Johnson on her marriage over the weekend, and offered condolences to Personnel Director Karen Brewington on the passing of her husband. His funeral will be held Wednesday at

10:00 A.M. at Central United Methodist Church. Donations in lieu of flowers are being accepted in his name.

REMARKS BY COUNCILMEMBERS

Councilmember Canady asked the Mayor's office to investigate a complaint he received from Orlando's Mobile Restaurant. He has been forced to relocate several times because police are citing him for parking in no parking zones. He feels this code is being selectively enforced.

Councilmember Ford asked when the Administration would complete the die testing of the sewer service to Grove Park Apartments. Mr. Boyd responded that the testing has been completed and they are now waiting for a report as to the elevation of the basement as compared to other basements in the area. They do not have a time table as to when this report will be available.

Councilmember Schmidt commented on the water situation with the Board of Water and Light last Friday and Saturday. She complimented the Board for handling this dilemma with sensitivity, and thanked the employees of the Board of Water and Light for their timely response to the need for water distribution. She suggested that the City should use more of a civil defense approach to situations like this. She asked to have the street closing and construction areas that Mr. Boyd announced aired on Channel 28.

Councilmember Benavides apologized for not being able to respond more quickly to the letters from the residents of Somerset Apartments. He was out of town, otherwise he would have gotten back to them sooner. He explained that their concerns are over the availability of parking (only 40 spaces are available), and security during after hours periods. They are worried about their lifestyles being interrupted by loud noise and late night parties. There are two bars in this area already, as well as Deja Vu. He called for a meeting with the concerned residents. He announced the dedication of the Louis F. Adado Memorial Park on September 5, 1992.

Councilmember Brockwell reminded everyone that on Monday, August 3, 1992 there will not be a meeting held in Council Chambers—the meeting will be held at Durant Park to kick-off the National Night Out Celebration.

CITIZENS MAY COMMENT

Tickles, the clown and her companion, Freight Train invited everyone to attend 'Clown Days' at Potter Park on Saturday, August 1, and Sunday, August 2, 1992. She, Freight Train, and their trick pig, Humphrey, performed for the audience.

Suzy Cookstark of 1127½ S. Washington Ave. asked Council to reconsider the arrangement made with Community Service and Referral Center. This facility is still causing problems for the neighborhood. She requested that the City reconsider funding the Center.

Yvonne Hall and Lucy Stevenson, no address given, said their mother lives at Somerset Apartments. They are here on her behalf to protest the opening of a bar next door to her by the owners of Starr's Black and Tan. They asked Council to reconsider the approval of their liquor license. Councilmember Canady said that the city cannot legislate this bar away just because they do not like it. The City does not have the authority to preempt state laws that

allow for the transfer of this license.

Thomas Shields of 1118 Riley complained about the condition of the R.E.O. property on Washington Ave., the grass has not been taken care of and the property looks run down. It is his understanding that the city is trying to sell this property but is not doing anything to make it more attractive to prospective buyers. Citizens would like the city to keep this property up.

William Bernstein of 420 Baker St. offered a silent prayer and protested being forced to remove his signs at a Council meeting on January 22, 1992.

William Hubbell of 1128½ Cooper said that the business in the South Washington Avenue area were dying long before the Community Service and Referral Center moved in and cannot be blamed entirely on them.

Tina Friz of 920 S. Washington said that prostitution in the neighborhood has not abated because they now have the CSRC to stay at during the day. She complained that she gets "pan-handled" everyday and the trash in the area around the center is terrible. The St. Vincent DePaul store just down the street does an excellent job and they do not have these types of problems.

Shirley Murray of 1720 Bradley, President of the South-Central Neighborhood Organization said that CSRC has damaged the positive results the neighborhood organization has gotten in their attempts to clean up the area. The local businesses pitched in and hired a street cleaner, but he was threatened by CSRC patrons, and the businesses will no longer provide this service. She said CSRC's clients do not have any intention of using the Center to better their lifestyle, they are just using it as a hang out.

Dale Johnson of 1015 S. Washington said he works for a rehabilitation center in the S. Washington area that is similar to CSRC. His clients refuse to go to CSRC because of the crime element present there. This referral service could be run out of a phone booth.

ADJOURNED 8:00
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

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Proceedings, August 3, 1992

DURANT CITY PARK

Lansing, Michigan
August 3, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation was led by Councilmember Schmidt and the Pledge of Allegiance was led by Stephanie Bean

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt a letter from Howard Jones of 426 W. Barnes Avenue regarding redistricting

2/ From Councilmember Benavides a letter from J.L. Buchanan of 824 Conrad St. protesting the opening of a bar next door to Somerset Senior Citizen Apartments

3/ From Councilmember Benavides a letter from Donald A. DeCair of 1602 W. Rundle requesting a "13th Check" for retirees of the Policemen and Firemen's Retirement System

4/ From Councilmember Benavides a resolution approving a Special License for the sale of beer, wine and spirits for one day, September 26, 1992 to the St. Joseph Melkite Catholic Church

5/ From Councilmember Benavides a resolution in Support of National Night Out, Tuesday, August 4, 1992

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. Washington Mall and Environs Maintenance Special Assessment

City Clerk, James D. Blair announced receipt of protests from property owners at the following addresses:

- 408 S. Washington
- 303 S. Washington
- 401 S. Washington
- 203 S. Washington
- 125 E. Washtenaw
- 225 S. Washington

Lloyd Teets of 116 E. Elm St. spoke in opposition to this special assessment because this is a TIFA district that raises \$127,500.00 per year which is all spent on Mall Maintenance. This work, he said,

should be done by Community Service Workers. Too much money is spent to clean up a 5 block area.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

There were no public comments

SPECIAL CEREMONIES

Loren Glasscock of the Lansing Police Department Community Services Unit introduced the following representatives, who made presentations regarding National Night Out Against Crime, Tuesday, August 4, 1992:

- Chief Connelly, East Lansing Police Department
- Sheriff Wrigglesworth, Ingham County Sheriff's Department
- Meridian Township Clerk, Virginia Farr
- Chief Cole, Meridian Township Police Department
- Leonard Peters, President Eaton County Board of Commissioners
- Lieutenant David Wilcox, Delhi Township
- Linda Feier, Treasurer Delhi Township
- Dianne Byrum, State Representative
- Joan Sheldon, Capitol Hill Neighborhood Watch President
- John Strickland, Board of Water & Light
- Steve Mancuso, Safeway Outdoor Lighting

Mayor McKane welcomed everyone and thanked them for their presentations. He stated his pleasure over the turn out for tonight's kick-off. He said Lansing values its' Police Department as one of the best in the nation, however, it is only as good as the neighborhoods make it. It takes team work to fight crime and he is proud of the volunteer efforts of the neighborhood watch groups. Tomorrow night is Capital Area Night Out Against Crime in the City he urged all citizens to get out, greet their neighbors, and assist in fighting crime in the city.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and the proper referrals be made by President Crawford

A. Notice from the State of Michigan, Department of Transportation of an Open House to discuss the improvements to eastbound M-43 to be held August 13, 1992

REFERRED TO THE MAYOR

B. Resolution from the Ingham County Board of Commissioners authorizing the appointment of a new probation representative member to the Ingham County/City of Lansing Community Corrections Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

C. Letters from the following residents of Somerset Apartments

protesting the opening of a bar next door to them:

- Sue Wright, 1401 W. Holmes Rd., #315
- Susan Feehery, 1401 W. Holmes Rd., #317

REFERRED TO THE MAYOR

D. Letter from Consumers Power requesting City Council recognition, in the form of a resolution, for the Chamber of Commerce "Business Day in Lansing" Trade Fair

REFERRED TO COUNCIL STAFF

E. Letter from Edward Stoffer of 2117 Raymond protesting a Housing Code violation notice he received

REFERRED TO THE MAYOR

F. Z-15-92, 229 N. Pine St. rezoning petition from "D-2" District to "D-1" District received from Michigan Retailers Association of 221 N. Pine St. to allow for the development of additional office space on the second floor of the building

REFERRED TO THE MAYOR AND THE PLANNING BOARD

G. Notice from Ingham County Circuit Court Judge, Thomas L. Brown of Order to Strike from the Tax Roll for Case No. 92-72299-CZ

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane outlined his letter requesting trash violation assessments, and his notice of Election of Officers for the Board of Zoning Appeals

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #418

August 3, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Brian Hagler, Tommy L. Riddle, Charles M. Witherell, William Prescott Fossum
SIGN ERECTOR: Sign America, Inc.
TRANSFER CLASS C: Augie's Inc.
WASTE HAULER: Capitol City Lawn Care, Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the

Availability of Minutes from Council Proceedings of July 27, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ RESOLUTION #419

TO: Council President James Crawford and Councilmembers

FROM: Terry J. McKane, Mayor

DATE: July 30, 1992

SUBJ: Trash Violation Fee (V-25), \$1,549.63

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. is submitted with my concurrence for your review and appropriate action.

By Councilmember Scmmidt

Carried unanimously

2/ Election of Officers—Board of Zoning Appeals

RECEIVED AND PLACED ON FILE

3/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ ACT-17-92, 1200 Block of Turner St. Turner-Dodge (Opper) Property, AT&T for Easement

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

COMMITTEE REPORTS

There are no Committee Reports

RESOLUTIONS

RESOLUTION #420

By Councilmember Mark Canady

July 30, 1992

ACT-15-91

517 Jason Court

WHEREAS, Mr. Dennis Rogozinski of 517 Jason Court has requested the City of Lansing vacate the 20' X 40' street right-of-way extending in front of his property; and

WHEREAS, the City of Lansing purchased this parcel in 1920 for \$1.00 for street purposes, and has not extended or improved the extension of Jason Court; and

WHEREAS, the parcel is described as:

South 20 feet, Lot 42, R.H. Persons Addition, City of Lansing, Ingham County, Michigan Liber 215 page 323.

WHEREAS, the property at 518 Christiancy, owned by Rosalee Ray, has historically used the Jason Street access and there exists a practical difficulty which prevents vehicular access to the rear of 518 Christiancy from the driveway;

WHEREAS, the Lansing Planning Board has reviewed this request under Act 285 and recommends the right-of-way be vacated and the parcel sold for \$1.00 to owner of 517 Jason Court; and

WHEREAS, the Council Committee on Physical Development concurs with the Planning Board's recommendation with the provision that a ten (10) foot access easement is reserved along the South property line of the right of-way between the East end of Jason Court and the property at 518 Christiancy;

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council vacate the right-of-way and sell the above described parcel by quitclaim deed to the owner of 517 Jason Court for the sum of \$1.00 and with the provision of a ten (10) foot easement along the South line of the vacated right of way.

BE IT FURTHER RESOLVED that the Administration is to execute this property transfer, and the City Clerk file this order with the Ingham County Register of Deeds, and after recording, file a recorded copy with the State Department of Commerce.

By Councilmember Canady

Carried unanimously

**RESOLUTION #421
PUBLIC IMPROVEMENT II**

By Councilperson Mark Canady

RESOLVED, by the City Council of the City of Lansing

That the plans and specifications returned by the Department of Public Service in pursuance of the resolutions of this Council dated March 23, 1992 and June 8, 1992,

PROPERTY BENEFITTED:

BENTON BOULEVARD SANITARY SEWER

All lands fronting on Benton Boulevard between Delta River Drive and Wilson Avenue excepting all public streets and alleys and other land deemed not benefitted,

be received, approved and placed on file.

The Engineer's estimated expense of said improvements is as follows:

**BENTON BOULEVARD
ASSESSMENT ROLL No. 324**

	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
sanitary sewer		\$40,455.00
other costs	\$5,717.00	
TOTAL COSTS	\$5,717.00	\$40,455.00

FUNDING:

ACCOUNT	ACCOUNT NUMBER	FUNDING
CITY SHARE OF		
SAN. SEWERS	590-453670-973000-20100	\$5,717.00
ASSESS. ROLL #	324404-453670-973000-62003	\$40,455.00

These improvements to be part of the 1992 Sewer Extension Project, PS# 14132.

That the Finance Director be authorized to advertise and let for bid the specifications for said project as submitted by the Department of Public Service.

That the City Assessor be, and is authorized, to make special assessment installation rolls, based upon the bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar, Deputy City Controller

By Councilmember Canady

Carried unanimously

**RESOLUTION #422
BY THE COMMITTEE ON GENERAL SERVICES**

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Susan A. Steller filed a claim against the City in the amount of \$3,916.42 for reimbursement of property damages resulting from a sewer backup into her basement at 518 West Northrup on March 26, 1992; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee furnishing testimony in support of her claim; and

WHEREAS, the Committee found that the City had no prior notice that any problem existed in the sewer main, that the Public Service Department responded immediately and cleared the plugged main within 20 minutes of being notified of the problem, and that no circumstances exist in this incident to attach liability to the City; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Susan A. Steller; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

August 3, 1992

By Councilmember Ford

Carried unanimously

**RESOLUTION #423
BY THE COMMITTEE ON GENERAL SERVICES**

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Egidio Maceroni, by and through his attorney M. Dennis Esmay, filed a claim against the City in the amount of \$25,000 alleging inadequate security protection arising from an incident at Riverfront Park during Riverfest 1992, wherein the claimant and his wife were beaten and kicked by several assailants before Lansing police arrived and stopped the assault; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant, his wife, and his attorney appeared before the Committee furnishing testimony in support of the claim; and

WHEREAS, the Committee found neither any legal basis for a claim

against the City, nor any documented damages totalling the amount claimed, and recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Egidio Maceroni; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

August 3, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #424

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Elizabeth J. Aldrich to the Cable Advisory Board for a term to expire June, 1996, is hereby confirmed.

August 3, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #425

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, grant funds are available through the State of Michigan, Department of Transportation, for inter-city passenger terminal security assistance; and

WHEREAS, the City has received grant funding for a beat officer for the Lansing Transportation Center (Greyhound Bus Terminal) and surrounding Cherry Hill neighborhood for the past three years under this program; and

WHEREAS, the Department of Transportation has indicated that an additional two program years are funded at the City's option on a 75% City/25% MDOT basis; and

WHEREAS, the matching funds are available in the Fiscal Year 93 Budget as approved and will be requested for Fiscal Year 94; and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the State grant funds in the amount of \$27,500 for a two-year Transportation Center Beat program; and

BE IT FURTHER RESOLVED, that the Mayor be authorized to continue this contractual agreement on behalf of the City.

By Councilmember Benavides

To excuse Councilmember Ford from the vote on this item

Carried unanimously, Councilmember Ford abstaining

By Councilmember Schmidt

To discharge the Committee on Public Safety on this item

Carried unanimously, Councilmember Ford abstaining

By Councilmember Benavides

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Ford abstaining

RESOLUTION #426

RESOLVED BY THE WAYS AND MEANS COMMITTEE

WHEREAS, the Michigan Uniform Crime Reporting system is being redesigned to comply with the new Federal Bureau of Investigation's program of criminal data collection; and

WHEREAS the State has determined that the City of Lansing is eligible for a maximum of \$7,558 in subgrant funds to partially defray the costs of revisions to Police Department systems; and

WHEREAS, the amount available will be sufficient to cover the salary cost for up to 377 hours of systems modification work by the Systems Analysis Manager and/or the Senior Programmer Analyst; and

WHEREAS, it is estimated that the entire project will require at least that many hours, and

WHEREAS, the Mayor has recommended acceptance of this subgrant;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the subgrant with the State of Michigan Department of State Police for the amount of \$7,558 for the period from September 1, 1992 to June 30, 1993, to partially offset the salary costs for the Lansing Police Department Automated Data Operations staff during the hours to be devoted to this conversion; and

BE IT FINALLY RESOLVED, that authority for these positions within the Police Department Table of Organization shall not terminate upon expiration of the subcontract.

By Councilmember Benavides

Carried unanimously

RESOLUTION #427

RESOLVED, by the City Council of the City of Lansing

WHEREAS, the City Council has determined it a public necessity to provide public improvements on Jolly Road; and

WHEREAS, the Public Service Department has provided plans and specifications for these improvements as part of project number PS 78015; and

WHEREAS, the City Assessor has established special assessment roll number 323 for this project; and

WHEREAS, Briarcliffe-Oxford Associates L.P. has one property listed on assessment roll number 323, addressed as 2301 East Jolly Road (3301-35-377-002-6); and

WHEREAS, Briarcliffe Oxford Associates L.P. has requested to pay the proposed assessment over a three year period because of the tremendous financial burden this expenditure will cause the above mentioned property owners;

NOW, THEREFORE, BE IT RESOLVED, that the City Assessor shall bill this property in three equal installments including interest at the rate of 7% per annum as specified under the terms and conditions of City Ordinance Section 1026.07.

By Councilmember Benavides

Carried unanimously

RESOLUTION #428

BY COMMITTEE ON WAYS AND MEANS

8/3/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$1,474.27 from Est. Rev. A/C 101-000000-170001-00000
1,474.27 to Parks & Rec.-Bgt. Ctrl.

A/C 101-783860-992200-00000
(Donations raised by WVIC for sponsorship of July 4th
Fire-works. To memo account #101-783810-741878-0.)

\$1,095.00 from Gen. Fd.-Fd. Bal. A/C 101-000000-390001-00000
1,095.00 to Parks & Rec.-Bgt. Ctrl.

A/C 101-783860-992200-00000
(Revenues from City Market parking monthly permit sales to
6/18/92. Per Mayor's Market Advisory Committee, funds to
be used to hire a leasing agent for the City Market.
(101-783811-743000-0)

\$20,207.00 from Gen. Fd.-Fd. Bal. A/C 101-000000-390001-00000
20,207.00 to Cap. Imp. GF-Bgt. Ctrl.

A/C 101-933901-992200-00000
(Ballfield Team Fees collected through 6/18/92, to be
spent on Ballfield improvements. (Acct. No. 101-933890-
970000-13023)

Submitted by:
Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #429

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the St. Joseph Melkite Catholic Church has applied for
a special license for sale of beer, wine and spirits for consumption
on the premises at the Marshall Street Armory on September 26,
1992; and

WHEREAS, Michigan Liquor Control Commission Rules require
that the local legislative body approve such applications prior to
issuance of the permit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council
hereby approves the request from St Joseph Melkite Catholic
Church for a special license for sale of beer, wine and spirits at the
Marshall Street Armory on September 26, 1992; and

BE IT FURTHER RESOLVED the City Clerk is directed to complete
the proper form and submit it with this resolution to the Michigan
Liquor Control Commission.

By Councilmember Benavides

Carried unanimously

RESOLUTION #430

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Tuesday, August 4, 1992, is National Night Out, a crime
prevention program designed to improve neighborhood safety by
increasing communication between neighbors; and

WHEREAS, the theme for this year's National Night Out is "Give
Neighborhood Crime and Drugs A Going Away Party;" and

WHEREAS, the Lansing Police Department is working with
Neighborhood Watch groups all over the Capital City to make this
the most successful night out in the program's history;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council,
sitting in regular session this Third Day of August, 1992, hereby
encourages the People of Lansing to participate in National Night
Out on Tuesday, August 4, 1992, by turning on their porch lights
and participating in neighborhood activities designed to unite
neighbors in the fight against crime.

By Councilmember Canady

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt a letter from Howard Jones of
426 W. Barnes Avenue regarding redistricting

REFERRED TO THE MAYOR AND THE CITY CLERK

2/ From Councilmember Benavides a letter from J.L. Buchanan of
824 Conrad St. protesting the opening of a bar next door to
Somerset Senior Citizen Apartments

REFERRED TO THE MAYOR

3/ From Councilmember Benavides a letter from Donald A. DeCair
of 1602 W. Rundle requesting a "13th Check" for retirees of the
Policemen and Firemen's Retirement System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
THE POLICEMEN & FIREMEN'S RETIREMENT SYSTEM BOARD

4/ From Councilmember Benavides a resolution approving a
Special License for the sale of beer, wine and spirits for one day,
September 26, 1992 to the St. Joseph Melkite Catholic Church

HANDLED AS RESOLUTION #429

5/ From Councilmember Benavides a resolution in Support of
National Night Out, Tuesday, August 4, 1992

HANDLED AS RESOLUTION #430

TABLED ITEMS

A. Resolution of approval on the Claim of Grove Park Apartments
from the Committee on General Services

REMARKS BY THE MAYOR

Mayor McKane gave an update on the activities of the Leonard R. McConnell Task Force relating to law enforcement and community interaction with the police department. The Task Force, Police Department Staff, Police Board, and Human Relations Board all thought it important to have a series of meetings around the community regarding the Police Department and services provided by it. The Task Force met on July 1, 15, 22, and 28. The final meeting will be on August 12, 1992 at 7:00 P.M. at Club Paradise, 224 S. Washington Avenue. Mayor McKane commended the Boards and Committees and the Police Department for putting these together. He announced that we are currently hosting 24 visitors from our Sister City, Otsu, Japan. There will be a farewell dinner in their honor on Thursday evening. Guadalajara, Mexico, and St. Petersburg, Russia are our two other Sister Cities. We will have a St. Petersburg expo in Lansing next year. He turned the floor over to City Clerk, Jim Blair for suggestions for voting in tomorrow's election:

City Clerk Blair encouraged everyone to celebrate National Night Out Against Crime, and also to get out and vote. Polls open at 7:00 A.M. and close at 8:00 P.M. Anyone in line at the polls at 8:00 will be allowed to vote. Tomorrow's ballot is one of the most complicated ever. You will not have to declare a party as you did in March, but, you do have to vote a straight party ticket for partisan offices. Between 9:00 A.M. and 4:00 P.M. is the best time to vote. The newest voter's registration card you received is the one you must use when voting, and be sure to check your new card for the correct voting location because the districts have all been changed. He reported that at 3:45 this afternoon the City Clerk's Office received a petition drive from 'Citizens for a Better Lansing' for a change to the City Charter. Clerk Blair requested a special meeting of the Ways and Means Committee because the Clerk's Office does not have adequate staff to get this issue on the November Ballot.

REMARKS BY COUNCILMEMBERS

Councilmember Beal asked Mayor McKane to have a policy on private demolitions available this week.

Councilmember Ford, as the 4th Ward Councilmember, welcomed everyone to Durant Park one of the five City Parks in the 4th ward. He said that he attended a picnic yesterday in the Cherry Hill Neighborhood. He introduced Joanna Swain, the Intern working with him this year, and his son Charles. This year many downtown merchants have had to pay additional assessments, if they put anything out in front of their store, such as a sale rack. He asked to have information on these additional assessments available for the Committee of the Whole meeting Thursday. He offered special thanks to Ron Onufer and his staff for their efforts for tonight's meeting.

Councilmember Schmidt said Officer Loren Glasscock deserves special recognition.

Councilmember Brockwell said it was fun to have the meeting in the park tonight but he hopes he doesn't get wet riding his bicycle home.

Councilmember Belen said it was great that we selected this particular park for the meeting because most people don't know it exists. It used to have a lovely fountain in the middle of it but the City let it go.

Councilmember Benavides thanked everyone at Continental Cablevision, the Parks and Recreation Department, the Board of Water and Light, and other City staff. They did a fine job of putting the mechanics together to broadcast the meeting from the park. This is a good way to show that we care.

CITIZENS COMMENT

Bruce Stark of 1147½ S. Washington Avenue said he thinks the outdoor meetings are a good idea and Council should do it more often. He said last week a gentleman addressed the meeting regarding the condition of the old REO property and how bad it looks. It still has not been cleaned up. He said there is so much trash and litter on the property that the City will not be able to mow it until after it has been cleaned up.

Kim Chan, on behalf of her father Sui-Wah Chan of 400 S. Washington, spoke in opposition to the Washington Mall Special Assessment.

Mary Haney, no address given, said that police officers in the old days did not have the equipment to work with that they have today. Her neighborhood is now one of the worst in the City. There have been 6 homes raided in the last 6 months. There is a girl in her neighborhood that is doing a lot to fight this type of criminal activity, and has had her life threatened for it. She believes this girl deserves special recognition. Her name is Michelle.

Douglas Fairbanks of 107 May St. said everyone on Council deserves a medal.

William Bernstein of 420 Baker St. said what has been done to him is not right. This is America and he will not give up until he gets justice.

Lloyd Teets of 116 E. Elm St. disagreed with an article in the Lansing State Journal that suggested that he had reached an understanding with Council. He criticized the sentencing of 54-A District Court Judge, Claude Thomas. Judge Thomas recently received a one year probationary sentence. Mr. Bernstein, found guilty of disturbing a public assembly, was given an eighteen month probation.

Jenny Springs of 1401 W. Holmes, accompanied by approximately 10 other residents, protested the opening of a bar next door to them. She thanked the Councilmembers who are working on their behalf.

Eduardo Dominges of 414 W. Barnes said that citizenry should have been able to work with the City Clerk's Office on the redistricting and drawing of new precinct boundaries.

Dolores Patterson of 416 W. Barnes protested the redistricting and the new boundaries, and said she felt the City Clerk's office had an ulterior motive when they drew the boundaries for her ward.

Harold Leeman of 529 N. Francis asked if the Lansing Center Property would be on the agenda for Thursday's Committee of the Whole meeting.

ADJOURNED 8:50
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

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Proceedings, August 10, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
August 10, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Brockwell

The Invocation and Pledge of Allegiance were led by Councilmember Canady

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a letter from John H. Cauley, Jr., Executive Director of the American Red Cross regarding problems with golf balls coming across the street from Groesbeck Golf Course

2/ From Councilmember Beal a letter from Willie Davis of 1136 Shepard regarding problems with drug dealers in the Walsh Park area

3/ From Councilmember Ford a request for non-profit status from Community Nursery School of 1309 W. Washtenaw

4/ From Councilmember Canady a Committee Report recommending the denial of Z-34-88

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. Special Assessment Roll #B-54, Sidewalk Repair on all lands bounded by Dr. Martin Luther King, Jr. Blvd./Logan St., Mt. Hope Ave., Park Ave., and Moores River Drive. Also, Stoneleigh between Wabash and Provincial House

Donald Murray of 1301 W. Barnes spoke in opposition to this special assessment. He feels the cost is too high. There is sewer repair scheduled in this area in the near future also, will they have a second assessment to repair the sidewalks as a result of the sewer work?

K.C. Ledesma of 1113 Pulaski spoke against the special assessment for sidewalk repair in front of his property. There is nothing wrong with his sidewalks, and he brought pictures supporting his position.

Bob Clegg from the Public Service Department stated his availability to answer any questions regarding this project.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

B. Make-safe or Demolish for property located at 3126 S. Cedar St.

Don Koelbel, no address given, said he owns the property. He has been unemployed and unable to afford to fix the house up. He just got a job and hopes to be able to make necessary repair on this property. He has had 100 amp service put in and has had some work done on the plumbing. Councilmember Ford asked Jim Kzeski, Director of the Building Department for the estimated cost of repair of this structure versus estimated value. Mr. Kzeski reported the estimated cost for repair at \$20,500 and a combined valuation between the structure and the property at \$20,000. He added that a Mr. George Patrick is the owner of record of this property. Mr. Koelbel stated that Mr. Patrick was his sister's husband, now deceased, and he inherited this property on his death. Councilmember Schmidt said she is very familiar with this property, and cannot exaggerate enough the problems with it. She said this property has a negative influence over the value of the surrounding properties. This area was recently rezoned to commercial. She feels the owner has had ample time to bring this house up to code. Mr. Koelbel said the city is responsible for knocking the shed on this property down, neighborhood kids have broken the windows, and none of this would have happened if the Building Department had not shut his building down. When a building is allowed to sit vacant, boarded up it is a target for vandalism.

Harry Allen Koelbel of 412 S. Francis said the city recently did the same thing to his house on Midwood St. He said they are just trying to make an honest living. They don't have a lot of money like some other people do. They could engage in illegal drug sales to make money, but they refuse to live that way. Councilmember Benavides said that the Human Resources Department has held several special meetings to help Mr. Koelbel with his house on Midwood and has another meeting on it this Thursday at which time they hope to reach a positive conclusion. This property must go through the same Committee process as the property on Midwood. He asked both of these gentlemen to attend the committee meeting this Thursday at 2:00 and to leave their names and phone numbers with the receptionist so that they can be contacted.

Lloyd Teets of 116 E. Elm said he has seen a lot of these orders and never finds out which of the nine criteria governing dangerous and unsafe structures apply. He called this a "Kangaroo Court" with Councilmembers as judges. The same thing happened to him. We should be helping these people, but instead we knock their house down if the grass gets too high or someone puts trash in the yard. He said there is no due process of law in this procedure.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Make-safe or Demolish for property located at 516 S. Dr. Martin Luther King, Jr. Blvd./Logan St.

There were no speakers at this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Make-safe or Demolish for property located at 1030 E. Kalamazoo St.

There were no speakers at this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. Make-safe or Demolish for property located at 3108 Maloney St.

There were no speakers at this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. Make-safe or Demolish for property located at 1006 S. Grand Ave.

Dale Johnson, director of Frontline Ministries, 1015 S. Washington said he currently has a proposal on line to purchase this property and renovate it for use in their homeless program, as referenced in Item X E-2, Letters from the Mayor.

Lloyd Teets of 116 E. Elm St. said this house is in his neighborhood and he has been inside it. He remarked on the Mayor's recommendations concerning the sale of this property to Frontline Ministries and his reluctance to "take on the Federal Government". There are 147 of these houses in the demolition process this year. These houses do not meet the criteria of a dangerous or unsafe building. They meet the criteria for substandard buildings, but that gives people due process of law and takes too much time. He said 95% of houses the city inspects do not pass inspection. That means that 95% of the houses in Lansing are substandard. He hopes that Frontline Ministries gets this house, repairs it, and rents to a low income family.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. said Citizens for a Better Lansing asked the City Clerk for information on what they needed to do to file their petitions and received erroneous information. He does not know where the City Clerk got the information that the petitions have to go to the Governor's office for approval. They do not have to go to the Governor, they have to go to the Attorney General. They offered to turn these petitions in as they received them, but, the City Clerk would not allow them to do that because he could not be certain they would collect enough signatures, and it would be a waste of city money to canvass the petitions if enough signatures were not collected. He questioned the need to canvass every signature, if they wait until every signature is canvassed, it will never make the November ballot. He offered to send the wording of the petition to the Governor to assist the Clerk in performing his duties and make sure the proposal was on the November ballot.

Bob Vertalka of 1740 Edgemont spoke on behalf of Grove Park Apartments and their claim. This issue has been in committee for several months. They first filed this claim back in February, but it was lost. The 14,000 gallons of raw sewage that backed up in the basement of the apartment house could not have been from the apartments, it had to be from a problem with the lines. The city made several attempts to clear the blockage and some of the work was done negligently and ineffectively. They are asking for only "out of pocket" expenses they incurred.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals be made by President Crawford

Carried unanimously

A. SLU-14-92, 1825 Sunset Avenue, Special Land Use request by Jay A. Harter & Owen J. Faust on behalf of Trumark, Inc. to allow them to construct an off street parking lot

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Letter from Pastor Gregory L. Haman of the A.R.K. Ministries for a waiver of fees for the use of Hunter's Park for September 5, 1992

REFERRED TO THE MAYOR

C. Letter from attorney's regarding the claim of Manford E. Mabry for an injury on a public sidewalk at the corner of Oakland St. and Center St.

REFERRED TO THE CITY ATTORNEY

D. Notice by the Michigan Department of Natural Resources of a permit to construct in the Grand River issued to the Board of Water and Light

REFERRED TO THE MAYOR

E. Notice from the Ingham County Drain Commissioner of a Public Hearing of apportionment on the Remy Chandler-Sanderson drain R-0701-\$483.87 on August 20, 1992 at the Drain Commissioner's office, 707 Buhl St., Mason, MI

REFERRED TO THE MAYOR

F. Letter from Mary Lawrence of 1221 Berten appealing Special Assessment Roll #B54, P.S. 45040 for Sidewalk Repair

REFERRED TO THE CITY ATTORNEY

MAYOR MAY COMMENT

Mayor McKane outlined his two letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #431

August 8, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Bradley A. Bjorling, Charles Michael St. Clair, Jerel Lamar McPhearson

WASTE HAULER: Frontier Landscape, Inc., BFI

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 3, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Notices from City Attorney, Al Knot of Appearance, Answer to Petition, and Proof of Service regarding Petitioners appeals to the Michigan Tax Tribunal for:

- W. Harlan Marshall
- Family Medical Services of St. Lawrence
- Jon Alysorth, et al
- Commerce Center
- Medallion Partners, et al

RECEIVED AND PLACED ON FILE

D. Letter from the Greater Lansing Convention/Exhibition Authority submitting Interim Financial Statements for the year ending June 30, 1991

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letters from the Mayor re:

- 1/ Public Improvement IV—Mall Maintenance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- 2/ Proposal to Acquire 1006 S. Grand Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

COMMITTEE REPORTS

RESOLUTION #432

Z-6-92

226 West Genesee Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-6-92—226 West Genesee Street to be rezoned from "DM 3" Residential District to "D 1" Professional Office District

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

August 10, 1992

RESOLUTION #433

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred Public Act 147 of 1992,

REPORTS AS FOLLOWS: The Committee has requested the Planning Staff to investigate the City's eligibility to receive funds from the Michigan Enterprise Authority under the provisions of the new statute. This report is for information only, and no Council

action is required.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

August 10, 1992

RESOLUTION #434

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred rezoning petition Z-34-88,

REPORTS AS FOLLOWS: The Committee allowed ample opportunity for the property owner to clean up the junk on the back of the property. The owner did not comply. Therefore, the Committee is recommending, by resolution appearing later in tonight's agenda, that the request for rezoning be denied. This report is for information only, and no Council action is required

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be received

CARRIED UNANIMOUSLY

August 10, 1992

Item XI B-1., Committee Report from the Committee on Ways and Means regarding the Carry Forward/Transfer for the City Clerk's Office was pulled from the Agenda at the request of Councilmember Benavides

RESOLUTION #435

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the City Clerk's request for a supplemental appropriation of funds for the purpose of processing the petitions submitted by Citizens for a Better Lansing within the requested 15 day period,

REPORTS AS FOLLOWS: The Clerk informed the Committee that \$2,500 will be needed in order to have any chance of processing the petitions within the requested timeframe. These funds will be utilized to pay overtime to current staff, and to hire temporary help. Pursuantly, the Committee has determined that, as a result of reducing the number of City Precincts, residual funds are available in the Wages-Election Inspectors budget account in the amount of \$12,400.

In accordance with established policy, utilization of these funds for any purpose not consistent with the specific intent of the original appropriation must be approved by the City Council. The Committee, after reviewing this request, recommends that the City Council approve the utilization of residual funds in an amount not to exceed \$2,500 for the exclusive purpose of processing the petitions submitted by Citizens for a Better Lansing within the requested 15 day timeframe.

However, aware of the fact that any decisions regarding this matter

are to be made by the City of Lansing Elections Commission, the Committee also recommends that the release of funds for the above-described purpose be contingent upon the Elections Commission authorizing the canvassing of the submitted petitions within the requested timeframe.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

August 10, 1992.

RESOLUTIONS

RESOLUTION #436

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Grove park Apartments, represented by Robert Vertalka and Ron Dungey, filed a claim against the City in the amount of \$1,552.58 for reimbursement of costs due to an alleged backup of raw sewage into the basement of the eight unit apartment building located at 3601 Richmond; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimants appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, Public Service Department employees responded to calls and cleared blockages from the sewer main on December 26 and 30, 1991, but in response to a call from the claimant's plumber on January 7, 1992, found no problem in the sewer main, even though the basement of the apartment building had an estimated 14,000 gallons of raw sewage; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Grove Park Apartments in the amount of \$1,552.58; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of the approved amount after appropriate releases are signed by the claimant.

August 10, 1992

By Councilmember Ford

To remove this item from the table and consider it for an affirmative

vote

Carried unanimously

By Councilmember Ford

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Ford, Schmidt

NAYS: Councilmembers Canady, Crawford

RESOLUTION #437

BY COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the appointment of Nancy J. Carlson to the Board of Zoning Appeals is hereby confirmed as recommended by the Mayor. Term expires June, 1996.

August 10, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #438

COMMITTEE ON PHYSICAL DEVELOPMENT July 23, 1992

P-1-92

R.E. Olds Plat

Tentative Preliminary Plat

WHEREAS Snell Environmental Group, Incorporated, acting on behalf of the City of Lansing, has requested tentative preliminary plat approval for the R.E. Olds Plat located north of Baker Street between South Washington Avenue and the Conrail Railroad tracks; and

WHEREAS the 27.2 acre site is zoned for heavy industrial use and will be divided into six (6) lots to be developed for office, warehouse and light manufacturing uses consistent with the Master Plan for the area; and

WHEREAS the Lansing Planning Board, at their meeting held July 7, 1992, did recommend approval of the tentative preliminary plat subject to the conditions listed below; and

WHEREAS the Lansing City Council has reviewed the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council grants tentative preliminary plat approval to Snell Environmental Group, Incorporated, acting in behalf of the City of Lansing for the R.E. Olds Plat, subject to the following conditions:

- 1) The final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.
- 2) All utility easements be established and provided as needed.
- 3) All requirements and notifications of public agencies involved with review and development of the site be met as directed and all issues should be resolved prior to submission of the final plat.

4) Public pedestrian walkways in and around the site be shown on the final plat.

5) The street name for the cul-de-sac be cleared as appropriate.

6) Sections of South Washington Avenue and Baker Street directly adjacent to the Reo property be included as part of the final plat.

7) This tentative preliminary plat is effective for a period of twelve (12) months; and

BE IT FURTHER RESOLVED that the City Clerk be directed to notify the applicant of said action.

By Councilmember Canady

Carried unanimously

August 10, 1992

RESOLUTION #439

Act-17-92

1200 Block Turner Street

Turner-Dodge (Opper) property

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS Linderlake Corporation, on behalf of AT&T Communications, has requested a 20 foot easement across the City of Lansing owned property known as Turner-Dodge (Opper) property for installation of a fiber optic cable; and

WHEREAS the 20 foot by 201.0+/-foot easement would extend from Turner Street to the Grand River along the south property line of Lot 1, Block 11, Original Town Plan, City of Lansing; and

WHEREAS the Planning Board has reviewed the request under the provisions of Act 285 of Michigan Public Acts of 1931 as amended and unanimously recommends the easement be granted as a general utility easement; and

WHEREAS the Physical Development Committee of City Council concurs with the Planning Board's recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council grants the 20 foot by 201.0+/-foot general utilities easement as requested; and

FINALLY BE IT RESOLVED that the City Officers are authorized to record and complete the necessary actions to establish the easement.

August 10, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #440

COMMITTEE ON PHYSICAL DEVELOPMENT

Z-34-88

3301 South Washington Avenue

WHEREAS Charles Smith requested to rezone property at 3001 South Washington Avenue from "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District over the entire site for the purpose of building a storage building at the rear of the property; and

WHEREAS the Planning Board held a public hearing on this request at their meeting of November 1, 1988, at which time it came

to their attention that there were Zoning Code violations taking place on this property; and

WHEREAS following the public hearing the Planning Board deferred further action until all Code violations were corrected; and

WHEREAS the Code violations have continued and the Applicant has been requested on several occasions to make the necessary corrections; and

WHEREAS the Planning Board, at their meeting of November 6, 1991, recommended denial on this request, indicating that they believe sufficient time has been given to correct all required Code violations; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing denies the zoning request by Charles Smith for property located at 3001 South Washington Avenue, and more particularly described as:

Lots 4, 5 and the east 90 feet of Lot 6, Holmesdale Subdivision, City of Lansing, Ingham County, Michigan.

By Councilmember Canady

Carried unanimously

RESOLUTION #441

August 6, 1992

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of the Building Safety Division of the Department of Planning and Municipal Development determined that the building located at 216 E. Hillsdale Street, more particularly described as:

3301 16 459 131

W 4 R of lot 1 and W ½ lot 2, block 156, Original Plat.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Housing Code, and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the hearing officers on September 26, 1991, at which the hearing officers determined that said building was an unsafe or dangerous building, and ordered the building to be demolished or otherwise made safe; and

WHEREAS, said hearing officers filed a report of their findings and order with the City Council, and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on November 4, 1991, to review the findings and order of the hearing officers, and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the City Council determined that this historical structure should be made safe and restored rather than razed; and

WHEREAS, the owner was instructed to work with the various Divisions of the Department of Planning and Municipal Development towards that end; and

WHEREAS, the owner failed to act in good faith in a reasonable period of time;

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Lansing requests the Director of the Department of Planning and Municipal Development to proceed immediately to have the structure restored in a manner consistent with Historical requirements; and

BE IT FURTHER RESOLVED that the cost of such restoration shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his/her failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #442

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing that the supplementary special assessment rolls M9101, M9102, and M9103 for maintenance districts and assessments as follows:

DISTRICT M9101

Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

Properties Fronting on the Mall Estimated Cost: \$50,912.50
Actual Cost: \$49,046.16 (includes a 50% credit of vendor revenue)
Difference—\$1,866.34 less
Properties Fronting on the Side Streets Estimated Cost: \$71,578.50
Actual Cost: \$70,486.82 (includes a 50% credit of vendor revenue)
Difference—\$1,091.68 less

DISTRICT M9102

Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also

Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

Estimated Cost: \$32,628.00
Actual Cost: \$32,755.73
Difference—\$127.73 increase

DISTRICT M9103

Beginning at the intersection of S. Townsend Street and W. Allegan Street, E. on Allegan (S. side only) to Capitol Avenue, S. on Capitol Avenue (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to Townsend Street, N. on Townsend (E. side only) to point of beginning; also Washtenaw Street east and west (both sides) from Townsend Street to Capitol Avenue.

Estimated Cost: \$8,579.00
Actual Cost: \$8,777.99
Difference—\$198.99 increase

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll and collect all unpaid tax as shown on said rule on or before the 30th day of October, 1992.

By Councilmember Benavides

Carried unanimously

RESOLUTION #443

BY COMMITTEE ON WAYS AND MEANS 8/10/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY 92

That the following transfers be approved:

\$195.87 from Est. Rev. A/C 101-000000-170001-00000
195.87 to Cap. Imp. Prog.—Bdgt. Ctrl.
A/C 101-933901-992200-00000
(Rentals of Turner-Dodge House, to be earmarked to improvements to the home, per City Council policy. To memo account #101-933890-975000-13022.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #444

BY COMMITTEE ON WAYS AND MEANS 8/10/92

FY 93

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$24,200.00 from Gen. Fd.—Fd. Bal.

A/C 101-000000-390001-00000

24,200.00 to City Clerk-Bdgt. Ctrl.

A/C 101-172400-992200-00000

(Additional costs for mailing expenses due to citywide redistricting. To memo account 101-172400-741000 0.)

\$3,949.00 from Gen. Fd.—Fd. Bal.

A/C 101-000000-390001-00000

3,949.00 to City Supp. Act.—Bdgt. Ctrl.

A/C 101-834101-992200-00000

(Balance of funding to fulfill consortium agreement with Tri-County Office on Aging. To Memo Account #101-834101-960056-0.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #445

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to reappoint Ellen Moore to the Assessor's Board of Review, term to expire June 30, 1995, is hereby approved.

August 10, 1992.

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING CHAPTER 206 OF PART TWO, TITLE TWO, SECTION 206.18

PREVAILING WAGE ORDINANCE

By Councilmember Ford

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 206, Section 206.18 Prevailing Wage Ordinance

Was introduced by Councilmember Ford, read a first and second time by its' title and referred to the Committee on Public Service

RESOLUTION #446

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Ford

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, August 24, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Chapter 206, by amending Section 206.18,

of the Code of Ordinances of the City of Lansing, Prevailing Wage Ordinance, for the purpose of providing penalties for failure to pay prevailing wages on construction agreements and requiring that this provision for penalties be placed in all bid documents for construction agreements

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER CANADY:

That we move to passage of ordinances.

BY COUNCILMEMBER CANADY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-06-92—226 West Genesee Street be rezoned from "DM-3" Residential District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-06-92—226 West Genesee Street be rezoned from "DM-3" Residential District to "D-1" Professional Office District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Brockwell

ORDINANCE #2342

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-6-92, 226 West Genesee Street

Parcel Number: 3301-16-130-061

Legal Description: The west 4 rods of Lot 7, Block 70, Original Plat, City of Lansing, Ingham County, Michigan

From "DM-3" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with

the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a letter from John H. Cauley, Jr., Executive Director of the American Red Cross regarding problems with golf balls coming across the street from Groesbeck Golf Course

REFERRED TO THE MAYOR

2/ From Councilmember Beal a letter from Willie Davis of 1136 Shepard regarding problems with drug dealers in the Walsh Park area

REFERRED TO THE MAYOR

3/ From Councilmember Ford a request for non-profit status from Community Nursery School of 1309 W. Washtenaw

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

4/ From Councilmember Canady a Committee Report recommending the denial of Z-34-88

HANDLED AS RESOLUTION #434

TABLED ITEMS

The resolution of claim approval for Grove Park Apartments was removed from the table by motion of Councilmember Ford

MOTION OF EXCUSED ABSENCE

By Councilmember Canady

To excuse Councilmember Brockwell from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor McKane reported that the Transportation Director has informed him that Downer St. will be closed tomorrow for the B.O.C. Race Car display, and that the Board of Water and Light will be dynamiting a couple of wells next week. This is done to remove mineral layers that form on the well surface. It is a routine operation that they have been doing for many years. Any questions can be answered by the Director of Information for the Board of Water and Light at 371-6730.

COUNCILMEMBER'S COMMENTS

Councilmember Beal congratulated Olympic Gold Medalist, Kevin Jackson of Lansing's Eastern High School, and his coaches. She suggested that Council adopt resolutions of tribute in honor of Mr. Jackson and his coaches.

Councilmember Schmidt directed Mayor McKane's attention to an article in today's paper about handicapper assistance in Eaton County. This was proposed several years ago at City Council. She has witnessed many violations of handicapped parking stickers. She asked Mayor McKane for a response. She said that many of the neighbors of the property at 3126 S. Cedar St. would have been here tonight to speak out against this property had they known the public hearing was being held. She will be closely monitoring this matter.

Councilmember Belen said that Council approved the subdivision of the REO site, and asked Mayor McKane if he has received the Environmental Study showing that this site can be subdivided. Mayor McKane assured Councilmember Belen that the city will not proceed until they have DNR approval.

Councilmember Ford congratulated Kevin Jackson and his family and Earvin Magic Johnson and his family on their Olympic Gold Medals.

CITIZEN'S COMMENTS

William Bernstein of 420 Baker St. said he brought two timers to tonight's meeting so that he will be assured of receiving his fair share of speaking time. He claims that his trial for disturbing a public assembly was rigged. He made personal statements directed to Councilmember Schmidt and was cautioned by President Crawford that he must refrain from addressing Councilmembers individually and direct his remarks to the Council as a whole.

Frank Curtis of 1136 W. Allegan said he will be going to court in a few weeks on his charges for disturbing a public assembly. He said he will do what he has to do. What was done to him the last time he was at Council was wrong, and he does not like Council playing with him.

Lloyd Teets of 116 E. Elm St. said that while he was at the Committee of the Whole last week he got a parking ticket at a meter that should have had time left on it. He thanked the Transportation Department for the call he received today saying that the meter was defective. He feels that once the term limitation is passed by the voters there will be more choices on the ballot. Right now everyone is intimidated by the incumbents.

Patricia Kern, no address given, said that voters at Sexton High School were denied their constitutional right of barrier free access to voting. She witnessed people who were not able to get up the steps to vote. She notified the City Clerk's office in the early morning and when her husband went to vote around 1:00 p.m. nothing had been done about the situation. If there was an entrance that was handicap accessible, there was no sign to direct people to it. Jim Blair, City Clerk explained that he talked to the Principal of Sexton High School that day when he learned of the problem. The janitorial staff at Sexton had moved desks, chairs, etc. into the hallway blocking off the handicap access route to the polling place. The schools are operated independently and this was not supposed to happen. The school must do a better job in signing handicap locations. There was very little that he could do when he learned the problem existed, but he did go to Sexton and move things out of the way to make access easier. He later talked to Sexton's principal about making sure that this does not happen again.

Douglas Fairbanks of 107 May St. said it was great having the Council meeting at Durant Park last week and we should do it again. Maybe next time we could have it at Francis Park.

Zelda Brown of 4309 W. Holt Rd. spoke on behalf of Lloyd Gibbs of Gibbs Janitorial Service regarding a problem he has had in getting payment for services rendered from the City Attorney. Councilmember Ford said he received Mr. Gibbs letter today and will pass it on to Mr. Knot.

ADJOURNED 8:50 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

290

Proceedings, August 17, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
August 17, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Brockwell

The Invocation and Pledge of Allegiance were led by Councilmember Belen

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a Resolution regarding policy for release of information to Citizens on the number of petition signatures needed to place issues before Lansing voters

2/ From Councilmember Beal a letter from G. Richard Lucas of 1119 S. Holmes St. regarding sidewalk repair at his residence

3/ From Councilmember Beal a letter from Michael K. Northrup of 2725 Hollywood #4 regarding the Lansing Housing Commission

4/ From Councilmember Schmidt a notice on position openings for School Crossing Guards

5/ From Councilmember Schmidt a letter from the Greater Lansing Convention/Exhibition Authority submitting the income statement and condensed balance sheet to go with the quarterly report recently submitted by them

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There are no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm said that at the Tuesday, August 11, 1992 Lansing Election Commission meeting the Election Commission voted that Lansing had 101,920 registered voters. He accused the Commission of picking this number out of the air. According to the population of Lansing in the 1990 Census this number cannot be valid. Citizens for a Better Lansing turned in over 4,800 signatures and this is an insult to those people. It will end up in court.

Harold Leeman of 529 N. Francis asked that Councilmember Beal's late items be made available for the audience to view. He asked how much money the City would spend on the auditor for the Lansing Housing Commission over the next 2 years. Council-

member Benavides answered that the City does not pay any portion of this. HUD pays for the auditor. \$8,500 for the first year and \$7,950 for the second.

Douglas Fairbanks of 107 May Street said that he thinks the City's demolition process is fair. He asked for more information on the Peddler's/Transient Merchants license.

Donna Collins of 225 Moores River Drive read City Clerk Jim Blair's letter to Council President Crawford. She said the issue is to put this question before the voters of the City of Lansing to decide. They have that right.

Richard Collins 225 Moores River Drive said that he has a letter signed by City Clerk Blair with the incorrect amount of voters in it. He denied that there was any confusion over whether this was an ordinance amendment or a charter amendment. He said that if the voter registration system is under the control of any Department other than the City Clerk, then the City is in violation of the Charter. Council had an opportunity to correct this situation, but refused to do so.

Pat Murray of 1720 Bradley said that Howard Jones made the appointment for today's meeting between representatives of Citizens for a Better Lansing, their Attorney, City Clerk Blair, and City Attorney Knot. He did not make the appointment exclusively for himself, he knew he would not be able to attend when the appointment was made. The group itself was refused entry to the meeting. He said the City Attorney shares responsibility with the City Clerk for the decision to raise the number of registered voters in the city. They are both on the Election Commission. Council's vote not to put this issue on the November ballot reinforces the need for term limitation.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and the proper referrals made by President Crawford

Carried unanimously

A. Letter of thanks from WLNS, TV 6 for the use of Channel 28 and the help of Ron Onufer in the production of Cablewatch '92 6 hour continuous coverage of primary election coverage

**REFERRED TO THE CABLE ADVISORY BOARD
AND COUNCIL VICE-PRESIDENT**

B. Letter from Ruth Hallman of 1014 W. Lapeer regarding disruptive behavior at property owned by the City at 911 W. Lapeer

REFERRED TO THE MAYOR

C. Letter from the Ingham County/City of Lansing Community Corrections Advisory Board requesting Council approval for an amendment to the Residential Probation Center and Volunteers in Probation program and for the FY 92-93 Application for Funds

REFERRED TO THE MAYOR, CITY ATTORNEY
AND THE COMMITTEE ON PUBLIC SAFETY

D. Notice from the Department of Natural Resources of application for a permit for Construction-Alteration-Addition or Improvement to a Sewerage System by the City of Lansing Public Service Department

REFERRED TO THE MAYOR

E. Notice from the Department of Natural Resources of application for a permit to construct in the 100 year floodplain of the Grand River by James Crawford of 3424 Karen Drive

REFERRED TO THE MAYOR

F. Notice from the Department of Natural Resources of application for a permit to construct in the floodplain of the Red Cedar River at Potter Park Zoo by the City of Lansing Parks and Recreation Department

REFERRED TO THE MAYOR

G. Letter from the Department of Natural Resources regarding the inspection at the City's Wastewater Treatment Plant

REFERRED TO THE MAYOR

H. Letter from the Department of Natural Resources regarding a discharge of raw sewage from the Harton Street Pump Station on July 29, 1992

REFERRED TO THE MAYOR

I. Z-16-92 4305 and 4311 S. Cedar application for rezoning from "F" Commercial and "J" Parking at 4305 S. Cedar and "A" Residential at 4311 S. Cedar to "D-1" Professional Office at both addresses by Judith Stegman of 4305 S. Cedar

REFERRED TO THE MAYOR AND THE PLANNING BOARD

J. Letter from Citizens to Cut and Cap Your Property Taxes explaining their proposal which will appear on the November Ballot

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

K. Letter of Thanks from John and Teresa Staten for the contribution made to the Johnathan Staten Memorial Fund—BCFI

RECEIVED AND PLACED ON FILE

L. Letter from the National League of Cities regarding their annual business meeting to be held Tuesday, December 1, 1992 at the Congress of Cities in New Orleans, Louisiana

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

MAYOR MAY COMMENT

Mayor McKane addressed the situation with Citizens for a Better Lansing Petition Drive. He said that the City Clerk took responsibility for his staff's mistake and then tried to make a recommendation to Council on how to solve the problem. Mayor McKane said he would have done the same thing, had he been in the Clerk's position. It was Council's decision not to place this question on the

November ballot. He went on to outline his letters on tonight's agenda; #4 acquisition of property in the Genesee Neighborhood Association Area at 510 N. Dr. Martin Luther King, Jr. Blvd./Logan St., 736 Bancroft Court, and 611 West Lapeer, #7 Mayor's veto of Resolution #436, approval of the claim of Grove Park Apartments; #9 Minutes of meeting of Customer Advisory Council—U.S. Postal Service, #10 report from the City Attorney on City of Lansing v Dwight Wilson, George Parrish, Dorothy Parrish and Walter Taylor (Operating an Adult Establishment at 601 E. Michigan Avenue)

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #447

August 14, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: David Robert Platt

PEDDLER/TRANSIENT MERCHANT: Bob D. Trejo

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 10, 1992 for review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk regarding petition drive by Citizens for a Better Lansing

RECEIVED AND PLACED ON FILE

C. RESOLUTION #448

COUNCIL PRESIDENT JAMES CRAWFORD AND
MEMBERS OF LANSING CITY COUNCIL

ALVAN P. KNOT, City Attorney

08/13/92

DESIGNATION OF NON-PROFIT ORGANIZATION—
COMMUNITY NURSERY SCHOOL

Based upon a review by this office of the documents submitted by the Community Nursery School, please be advised that the above subject association qualifies as a non-profit organization.

If you have any questions concerning this matter, please feel free to contact me. Thank you.

By Councilmember Schmidt

To accept the recommendations of the City Attorney

Carried unanimously

D. Forestry Section Annual Report submitted by Paul Dykema,
Forestry Manager

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

E. August 17, 1992

Council President James Crawford and

Members of Lansing City Council

10th Floor, City Hall

Lansing, Michigan 48933

Dear Councilmembers:

The Election Commission of the City of Lansing met on Tuesday, August 11, 1992, for the purpose of reviewing the petitions submitted by Citizens for a Better Lansing, and determining the number of signatures legally required to put the issue of term limitation for elected City Officials on the November ballot.

It was the finding of the City Election Commission after reviewing State law that the legally required figure based upon the number of registered voters residing in the City of Lansing at the time of filing the petition was 101,920. State law requires signatures from not less than 5% of those people, therefore, Citizens for a Better Lansing needed 5,096 signatures filed with the City Clerk 90 days in advance of the date of the Election (November 3, 1992) to place this question on the ballot.

It was the consensus of the City Election Commission that the City Clerk's Office should stop canvassing the petitions, and review the amount of signatures turned in, because the count of 4,800, given by representatives of Citizens for a Better Lansing, is short of the number required to put the issue on the November ballot. My office verified that 4,895 signatures were submitted, which is still 201 signatures short of the legally required number.

Sincerely,

James D. Blair, City Clerk, Chairperson

F. Letters from the Mayor re:

1/ P 03-92, Coachlight Manor East, Formerly Coachlight Estates #3

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2/ SLU-09-92, 333 E. Michigan Avenue, Lansing Center
Expansion in Flood Plain

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3/ ACT-20-92, 2130 Vassar Drive

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4/ Acquisition of 3 Properties in the Genesee Neighborhood
Association Area; 510 Dr. Martin Luther King, Jr. Blvd./Logan St.,
736 Bancroft, and 611 W. Lapeer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5/ Appointment of John N. Weis to Board of Police Commis-

sioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7/ Mayor's Veto of Council Resolution No. 436 (Claim by Grove
Park Apartments)

REFERRED TO THE COMMITTEE OF THE WHOLE

8/ Michigan State Housing Development Authority (MSHDA)
Programs to Encourage Development and Rehab in Neighborhood
Enterprise Zones

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

(INFORMATION ONLY)

9/ Minutes of Meeting of Customer Advisory Council—U.S.
Postal Service

RECEIVED AND PLACED ON FILE

10/ City of Lansing v Dwight Wilson, George Parrish, Dorothy
Parrish and Walter Taylor (Operating an Adult Establishment at
601 East Michigan Ave.)

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no committee reports

RESOLUTIONS

RESOLUTION #449

PUBLIC IMPROVEMENT IV

By Mark Canady

RESOLVED, by the City Council of the City of Lansing

That the special assessment roll #B54 for sidewalk improvements
(PS #45040)

PROPERTY BENEFITTED: All lands bounded by Martin Luther
King Jr. Blvd./Logan Street, Moores River Drive, Park Avenue and
Mt. Hope Avenue. Also Stoneleigh between Wabash and Provincial
House. Excepting all public streets and alleys and other land
deemed not benefitted

as returned by the City Assessor, be ratified and confirmed, and the
Mayor be directed to affix within ten days his warrant directing the
City Treasurer to collect said tax on or before the 25th day of
November, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #450

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners has
proposed Ms. Kit San Grotelueschen of Lansing for appointment to
serve on the Community Corrections Advisory Board to represent
the Probation component of the Criminal Justice System for the
remainder of the vacant term expiring on December 31, 1993; and

WHEREAS, the Committee on Public Safety has interviewed Kit San Grotelueschen, found her to be well-qualified and eager to serve on the CCAB, and recommends that the Council approve her appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 17th day of August, 1992, hereby approves the appointment of Kit San Grotelueschen to the Community Corrections Advisory Board, to fill the vacant seat representing the Probation component of the Criminal Justice System for the remainder of the term expiring December 31, 1993; and

BE IT FURTHER RESOLVED the Clerk is directed to forward a copy of this resolution to the Ingham County Board of Commissioners.

August 17, 1992

By Councilmember Schmidt

Carried unanimously

RESOLUTION #451

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council has received a number of complaints regarding the Washington Mall Business Extension Application and Use Fees adopted in the Fiscal Year 92-93 Budget; and

WHEREAS, the Ways and Means Committee has determined that the total revenue to be realized from these fees is estimated to be \$525; and

WHEREAS, the Committee believes that the cost to administer and collect these fees is more than the revenues to be realized.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby repeals the Washington Mall Business Extension Application and Use Fees previously approved in the Fiscal Year 92-93 Budget.

August 17, 1992.

By Councilmember Benavides

To accept a friendly amendment making this resolution retro-active back to July 1, 1992 and place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #452

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Audit Committee solicited proposals from external independent public accounting firms to perform an audit on the Lansing Housing Commission (LHC) for each of the fiscal years ended June 30, 1992 and 1993; and

WHEREAS, based on analysis of the six proposals received, the Audit Committee unanimously recommended the firm of Hawkins, Ash, Baptie & Company to perform the LHC audits; and

WHEREAS, the Committee on Ways and Means concurs with the Audit Committee's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the selection of Hawkins, Ash, Baptie & Company as external auditor for the Lansing Housing Commission for the fiscal years ended June 30, 1992 and 1993.

By Councilmember Benavides

Carried unanimously

RESOLUTION #453

BY COMMITTEE ON WAYS AND MEANS 8/17/92
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$73,243.29 from Fd. Bal. A/C 101-000000-390001-00000
73,243.29 to Coun. Ctrl. A/C 101-112101-992200-00000
(Appropriate funds for cable programming grants (to Memo Account 101-112101-963001-00000). \$15,912.73 of unspent appropriations in FY 92, and \$57,330.56 of new revenue received for the period 7/91-6/92.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #454

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Capital City Riverfest has applied for a special license for sale of beer, wine and spirits for consumption on the premises at Riverfront Park on September 4, 5, 6, and 7, 1992; and

WHEREAS, Michigan Liquor Control Commission Rules require that the local legislative body approve such applications prior to issuance of the permit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the request from Capital City Riverfest for a special license for sale of beer, wine and spirits at Riverfront Park on September 4, 5, 6 and 7, 1992; and

BE IT FURTHER RESOLVED the City Clerk is directed to complete the proper form and submit it with this resolution to the Michigan Liquor Control Commission.

By Councilmember Ford

Carried unanimously

RESOLUTION #455

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Citizens of Lansing are entitled to prompt and accurate responses to inquiries from City officials regarding laws,

policies and procedures under which the City operates; and

WHEREAS, on two consecutive occasions, the City Clerk's Office gave Citizens erroneous information about the number of petition signatures needed to place issues before Lansing voters;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby requests the City Clerk to create procedures within his office to prevent such errors by his staff in the future; and

BE IT FURTHER RESOLVED the City Council establishes a new City policy that the City Attorney shall review and approve written responses to all Citizen inquiries related to citizen-initiated ballot issues.

August 17, 1992

By Councilmember Beal

To accept friendly amendments to the resolution striking the second paragraph, and substituting the word recommends for the word requests in the third paragraph, and place an affirmative roll on the resolution as amended

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a Resolution regarding policy for release of information to Citizens on the number of petition signatures needed to place issues before Lansing voters

HANDLED AS RESOLUTION #455

2/ From Councilmember Beal a letter from G. Richard Lucas of 1119 S. Holmes St. regarding sidewalk repair at his residence

REFERRED TO THE MAYOR

3/ From Councilmember Beal a letter from Michael K. Northrup of 2725 Hollywood #4 regarding the Lansing Housing Commission

REFERRED TO THE MAYOR

4/ From Councilmember Schmidt a notice on position openings for School Crossing Guards

REFERRED TO CHANNEL 28 STAFF

5/ From Councilmember Schmidt a letter from the Greater Lansing Convention/Exhibition Authority submitting the income statement and condensed balance sheet to go with the quarterly report recently submitted by them.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides

To excuse Councilmember Brockwell from tonight's meeting

Carried unanimously

MAYOR'S COMMENTS

Mayor McKane said that he is opposed to the term limitations issue. Fourteen councilmembers have left council since he began in City Hall many years ago. This is a fair amount of attrition. Artificially shortening the years of service will increase the power of non-elected bureaucrats removing people even further from their government. In the interests of fair play he asked that he be allowed to donate a portion of his speaking time to Jim Blair, City Clerk. By motion of Councilmember Benavides, City Clerk Blair was given three minutes to address this issue. Jim Blair said that he is a duly elected official of the City of Lansing, and as such, he deserves the respect of Council. They have never shown his office the respect it deserves. He stated his intent to clear the air of the untruths being circulated. Howard Jones asked for a meeting with the City Attorney and the City Clerk. Howard Jones did not show up for the meeting, he sent their Attorney and a Committee. The City Clerk, City Attorney, their attorney, and a representative of their group met at 2:00 this afternoon. The city's voter registration system is antiquated and located in another department over which the Clerk has no control. It is on the City's mainframe computer and the Clerk's office can only input information about voters and request printouts from Data Processing. There are two different categories of voters lists; one is used for election purposes, and the other is an expanded list that encompasses additional voters. Because of a Supreme Court ruling the second list is the one that has to be used. It can work to their advantage. He apologized for the group being given the wrong information. It was an honest mistake on the part of his elections Coordinator, and as the Department Head he will accept full responsibility for it. His recommendation was that City Council put this on the ballot. This is not a dead issue. It can go on the ballot next November, in which case they have another year in which to gather additional signatures.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt announced that she has received a news release from the IRS office. They are moving into the second ward. They will relocate at Southwind Office Park at 921 W. Holmes. She expects this to be a positive influence on the area. The office space they will occupy has been vacant since DSS moved out and came downtown. They will open in their new location on Monday, August 24, 1992 at 8:00 A.M. She asked for enforcement of the city code prohibiting the consumption of alcoholic beverages in city parks. Some of the parks do not have signs in them stating that consumption of alcohol is a violation of city ordinance. Since the elimination of the Parks Police Program we will see more and more of this.

CITIZENS COMMENTS

Harold Leeman of 529 N. Francis criticized Council for not responding in writing to his letter regarding Kevin McKinney sitting on the Board of the Greater Lansing Convention/Exhibition Authority. It has been three months since his letter to them requesting a written response. The Council feels that this non-resident is more important than the citizens of the City of Lansing. He said that Citizens for a Better Lansing have been trying to get information on the correct way for them to proceed since May 8, 1992. They were shuffled back and forth between the City Attorney and the City Clerk's office each claiming that the other had responsibility for this. He hopes this group wins in court.

William Hubbell of 1936 W. Jolly Road, recently of 1128½ Cooper Avenue said he was evicted from his rented home without prior

notification by the Building Department. This is a violation of his constitutional rights.

William Bernstein of 420 Baker St. said that it is too bad that the dictators of city hall do not want to move. The voters will decide the fate of the dictators in November.

Lee Shump of 601 Leslie St. said that he got into an argument with a television reporter earlier this evening about the council rule regarding the consumption of food or beverage in council chambers. He asked that this rule be universally enforced. He asked that the parking regulations regarding downtown be enforced also. He said there are no parking spaces available because they are being taken up by UPS drivers and delivery vehicles. There are designated loading and unloading zones for deliveries by these vehicles, yet they continue to take parking places that could be used by people frequenting downtown businesses.

Lloyd Teets of 116 E. Elm St. said that the count of registered voters given out by the City Clerk does not make sense and voters are smart enough to figure this out. He commended Councilmember Beal for being the only councilmember to vote for putting this question on the ballot. Their group is asking that the people be allowed to decide. What is undemocratic about this? He spoke regarding Mr. Hubbell's eviction from his apartment, saying that Mr. Hubbell would be safer under a bridge than in his house where he can be evicted by the Building Department. He said that according to the budget the majority of money the City spends on human services goes for salaries.

Douglas Fairbanks of 107 May Street said England has the right approach to term limitation. It is 50 years and out. He agreed with Councilmember Schmidt's protest about drinking in City Parks. He said there is a lot of drinking going on outside of the Eastside Party Store.

ADJOURNED 8:30 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

295

Proceedings, August 24, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
August 24, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Belen

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a petition from the residents of E. Gier St. requesting the installation of a Stop sign on E. Gier

2/ From Councilmember Ford a request that the rules be suspended to allow for presentation of a resolution of Tribute to Kevin Jackson during the Special Ceremonies portion of the agenda

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider the transfer of a Commercial Facilities Exemption Certificate (CRD-13-85) from Mark Lewis to Dennis A. Sherman for property located at 1008 Terminal Road

Dennis Sherman, petitioner in this matter, spoke in support of his request for transfer of CRD-13-85 and stated his availability to answer questions.

**REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT**

B. In consideration of an amendment to Chapter 206, Section 206.18 of Part Two, Title Two of the Code of Ordinances for the purpose of providing penalties for failure to pay prevailing wages on construction agreements and requiring that this provision for penalties be placed in all bid documents for construction agreements

Glen Freeman, President of the Greater Lansing AFL-CIO on Clare St. spoke in support of this amendment, saying it would provide that a standard of wages be kept to equalize payments for all, preserve dignity, and keep the income tax base intact. Contractors are paying lower wages today than they were a few years ago. Councilmembers Ford and Schmidt asked Mr. Freeman to attend Wednesday's meeting of the General Services Committee and bring any information he has regarding the affect the proposed

penalties would have on local businesses and employees.

Dale Bryzinski of Laborers Local 998, 4208 S. Pennsylvania spoke in support of this ordinance saying "this will help keep contractors honest in bidding and in paying their employees. It is the local employees that deserve honest pay."

John Brady of the Plumber and Pipefitters Local 388 at 5405 S. Logan St. spoke in support of the prevailing wage ordinance amendment and said that he feels the three year penalty for violation is fair.

Eugene Guy, Secretary-Treasurer of Laborers Local 998 spoke in support of the amendment. He said he has seen his members lose health care benefits because contractors did not pay their insurance premiums.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT

William Hubbell of 1003 W. Cavanaugh spoke against the City's acquisition of the three properties outlined in Item #XII A-3 because it will purchase these properties, demolish the structures and sell the land to adjacent property owners.

Lloyd Teets of 116 E. Elm St. said sometimes houses are in bad shape and sometimes lots are squeezed too closely together. He is concerned about housing stock and the destruction of it. He criticized Council for writing a resolution of tribute to Olympic Gold Medalist Kevin Jackson and not to Earvin "Magic" Johnson who also won an Olympic Gold Medal. Councilmember Canady responded by saying that Mr. Jackson was in town to accept his tribute, when Magic Johnson is in town and Council is aware of it they will do the same for him.

Harold Leeman of 529 N. Francis spoke regarding the Mayor's letter on the jurisdiction of Kalamazoo St. He asked how much money would be spent on acquisition of the three properties in XII A-3. Council President Crawford said they would not know until the appraisals are in. Mr. Leeman expressed his hopes that each ward would share equally in expenditure of these funds.

Toni Miernik of 629 W. Lapeer thanked Council for the acquisition of 711 W. Lapeer saying that everyone on Lapeer St. signed petitions urging the City to acquire this property and demolish it. None of these houses have had anyone living in them. This will contribute to the quality of living in their neighborhood.

SPECIAL CEREMONIES

Councilmember Ford requested that Mayor McKane and Councilmember Canady present a resolution of tribute to Kevin Jackson, Olympic Gold Medal wrestler in the 180 weight classification. Mayor McKane read the tribute given to Mr. Jackson by Governor Engler, and Councilmember Canady highlighted a similar resolution of tribute adopted by City Council. Mr. Jackson thanked Councilmembers and the residents of the city for their

support.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Letter from Harold Leeman regarding the term limitation petition drive

RECEIVED AND PLACED ON FILE

B. Letter from Judge James R. Giddings, Chairperson of the Ingham County/City of Lansing Community Corrections Advisory Board recommending the reappointment of Mr. Frank Reynolds to the CCAB

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

C. Letter from the Greater Lansing Convention & Visitors Bureau submitting the Lansing Center Marketing Study

REFERRED TO THE MAYOR AND THE COMMITTEE OF THE WHOLE

D. Letter from Attorney's regarding the claim of their client, Drucilla Reese for an injury she sustained on the sidewalk at 925 Holton

REFERRED TO THE CITY ATTORNEY

E. Appeal of special assessment for sidewalk repair from Jose O. Velez of 1119 Edward Street, 3301-20-452-301-6

REFERRED TO THE MAYOR

F. Letter from Michigan Bell Telephone submitting informational update, on telecommunications

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane outlined letters #4 appointment to the Human Relations Board, #6 response from the Director of Parks and Recreation to City Council's suggestions regarding the City Market, #7 request for a Public Hearing on September 8, 1992 on demolition of properties at 1100 W. Ionia, 917 Hickory St., and 916 W. Lapeer, #8 request from the Ingham County Road Commission to transfer jurisdiction of Kalamazoo St. to the city.

CITY OFFICER AND BOARD REPORTS

A. Letter from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #456

August 21, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Patrick O'Toole

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City notifying Councilmember of the Availability of Minutes from Council Proceedings of August 17, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Public Improvement III, Benton Boulevard Sanitary Sewer, PS#14132

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ Resolution for Extension of Sewer Service in Lansing Township, 206 N. Grace St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ Transfer of Commercial Facilities Exemption Certificate #85-009 (for construction of new warehouse facility at 1008 Terminal Road)

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

4/ Appointment of Robert J. Egan to the Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5/ Michael Stock v City of Lansing

RECEIVED AND PLACED ON FILE

6/ Response to Public Services Committee Report 7/20/92 City Market Concerns

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

7/ RESOLUTION #457

TO: Council President James Crawford and City Councilmembers
FROM: Terry J. McKane, Mayor

DATE: August 17, 1992

SUBJ: Request for Public Hearing Regarding 1100 W. Ionia, 917 Hickory Street, and 916 West Lapeer

The attached request for public hearing regarding demolition of the above-named properties is being forwarded with my concurrence for your review and appropriate action.

By Councilmember Schmidt

To accept the recommendations of the Mayor and set a Public Hearing for Tuesday, September 8, 1992

Carried unanimously

8/ Transfer of Jurisdiction of Kalamazoo Street Recommendation

to Deny Transfer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no committee reports

RESOLUTIONS

RESOLUTION #458

COMMITTEE ON PHYSICAL DEVELOPMENT August 13, 1992

Coachlight Manor East
Final Plat
Formerly P-3-92

WHEREAS Scott Bohnet for First National Acceptance Company requested final plat approval of Coachlight Manor East (P-3-92), formerly known as Coachlight Estates #3, a subdivision of 2.18 acres of land into twelve (12) residential lots along the existing Monticello Drive; and

WHEREAS the Planning Board, to whom the matter was referred, found the plat to be in substantial conformance with the preliminary plat and further that the proposed development is in conformance with the Master Plan, recommended approval with conditions; and

WHEREAS the Physical Development Committee of Council concurs with the recommendation of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the final plat of Coachlight Manor East with the following conditions:

1. That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the Michigan State Plat Act.
2. That all lots be graded so surface water will drain therefrom so as not to adversely affect adjacent properties.
3. That the developer utilize an underground electrical distribution system as specified in Section 1238.08 of the Lansing Subdivision Regulations.
4. That the necessary easement be provided for the installation of utilities.
5. Compliance with requirements of all responding agencies.
6. That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance, be submitted to the City Clerk prior to the signing of the plat and the affixing of the Municipal Seal.
7. That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

By Councilmember Canady

Carried unanimously

RESOLUTION #459

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS Daniel and Elizabeth Morley, owners of 2130 Vassar Drive, have requested authorization to construct a garage into the

City of Lansing's utility easement which extends along the north fifteen feet of their property, and

WHEREAS, the Planning Board has reviewed the request under the provisions of ACT 285 of Michigan P.A. of 1931, and unanimously recommends the request be denied due to the need to preserve a full width easement for access maintenance and improvement of a major storm drain; and

WHEREAS, the Physical Development Committee of City Council concurs with the Planning Board's recommendation; and

NOW THEREFORE BE IT RESOLVED that the City Council denies the request of Mr. & Mrs. Morley for an encroachment into the utility easement at 2130 Vassar Drive.

By Councilmember Canady

Carried unanimously

RESOLUTION #460

WHEREAS it is the top priority of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of residential neighborhoods; and

WHEREAS residents of the City's Genesee Neighborhood Association have requested the City to acquire several properties due to condition and overcrowding; and

WHEREAS the City Administration has recommended that this request be granted; and

WHEREAS the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisition and disposition of real property,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that the City Administration is authorized to acquire the following properties, demolish any structures and sell the property to accomplish the objectives specified for each property:

510 North Martin Luther King Blvd./Logan Street, more particularly described as Lot 11, Rogers Subdivision Recorded Liber 2, page 28 Ingham County Register of Deeds

with the property to be divided into four parcels and sold to residential properties located at 1016, 1020, 1024, and 1026 West Genesee Street according to Community Development Block Grant policies.

736 Bancroft Court, more particularly described as the South 6 feet of the West ½ of Lot 18 and the West ½ of the North 29 feet of Lot 17, Wm Fosters Subdivision recorded Liber 4 page 50 Ingham County Register of Deeds

with the property to be sold to 521 Leiram Street according to Community Development Block Grant policies.

611 West Lapeer, more particularly described as the East 30 feet of the West 60 feet Lot 1 Block 74 Original Plat, City of Lansing

with the property to be divided between 609 and 613 West Lapeer according to Community Development Block Grant policies.

BE IT FURTHER RESOLVED that the City policy requiring an environmental study prior to purchase is waived for these residential properties; and

BE IT FINALLY RESOLVED that all costs associated with this project shall be charged to the City's Community Development Block Grant Program land acquisition and demolition accounts.

By Councilmember Canady

Carried unanimously

RESOLUTION #461

BY COMMITTEE ON WAYS AND MEANS 8/24/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$1,200.00 from Gen. Fd.-Fd. Bal.

A/C 101-000000-390001-00000

1,200.00 to Parks & Rec.-Bgt. Ctrl.

A/C 101-783860-992200-00000

(Louis F. Adado Park Dedication (to Memo Account 101-783820-970000-0))

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #462

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, when Olympic gold medal winner Kevin Jackson graduated from Lansing Eastern High School in 1982, many local prep wrestling fans predicted great things in his future; and

WHEREAS, Kevin has piled up several championships on his road to the U.S. Olympic Wrestling Team, including Junior National Champion, two time State Champion, four-time Collegiate All American, Freestyle National Champion, Pan American Games Gold Medalist, and Olympic Freestyle World Champion; and

WHEREAS, in late June, Kevin returned to the Don Johnson Fieldhouse, scene of many of his early victories, to conduct a Wrestling Technique Camp for the young people of our community; and

WHEREAS, two weeks ago in Barcelona, Spain, Kevin won the Gold Medal in the 180.5-pound weight class freestyle competition, defeating Elmadi Jabrailov of the Unified Team in overtime;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 24th day of August, 1992, hereby commends and congratulates KEVIN JACKSON for his outstanding representation of the United States as a member of the 1992 Olympic Wrestling Team who brought home the gold; and

BE IT FURTHER RESOLVED all Councilmembers, on behalf of the People of Lansing and with great pride, welcome Kevin home to the Capital City for a well-deserved celebration of his victory.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a petition from the residents of E. Gier St. requesting the installation of a Stop sign on E. Gier

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

2/ From Councilmember Ford a request that the rules be suspended to allow for presentation of the resolution of Tribute to Kevin Jackson during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND RESOLUTION #462 WAS PRESENTED TO MR. JACKSON DURING THAT PORTION OF THE AGENDA RESERVED FOR SPECIAL CEREMONIES

MOTION OF EXCUSED ABSENCE

By Councilmember Schmidt

To excuse Councilmember Belen from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor McKane announced that next Monday, and Tuesday, August 31, and September 1, will be Downtown Donor Days, in the Lobby of City Hall. He hopes to break our previous record. We will need all the blood that we can get as Labor Day Weekend approaches.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt said she received a memo from Mr. Dowling, from the Public Service Department, regarding the construction project on Jolly Road. The residents of Briarcliffe Apartment complex are requesting an additional driveway for entry and exit to the complex. There is currently only one driveway open for their use. The drive that they are asking to be allowed to use is restricted to emergency use only. The city guarantees that they will continue to have access to one driveway at all times during the construction, but they cannot open the emergency drive to normal traffic. She attended Oldsmobile's 95th Anniversary Celebration last Friday and said it was a very nice party. She is looking forward to their 100th year in Lansing. She said Oldsmobile is "the lifeline to the City of Lansing". Council has received a letter from the Lansing Board of Education thanking them for the donation of \$12,142 to Kendon School for improvements and upgrades to their playground equipment. They are on the last phase of the project.

Councilmember Ford said that the recent construction around William St., Riverview, and West St. has created a problem with dust in this area. He asked Mayor McKane to look at cleaning these streets.

Councilmember Canady said he received a phone call from Leonard Hunter of 224 W. Jenison with a complaint about dust in this area from the CSO project. He asked if something could be done to alleviate this problem.

PUBLIC COMMENTS

William Hubbell of 1103 W. Cavanaugh complained that the procedure for closing rental buildings needs review. He was kicked out of his apartment with no notification whatsoever. Council needs to look at this ordinance. Councilmember Brockwell agreed with Mr. Hubbell's complaint saying they should be giving more time to property owners. Currently they give three days between notification and vacating the premises. He suggests they give five days notice.

William Bernstein of 420 Baker St. spoke regarding his unfair trial for disturbing a public assembly. He said Councilmembers cannot get away with having everything their way.

Ben Stutsman of 1030 Shelter Lane asked why the City has money to tear houses down and put parking lots in downtown, but they do not do anything about the condition of the streets in his area. He said it is doubtful that these streets will last through another winter.

Jean Altman, resident of Somerset Apartment Complex on Holmes Road said she is very upset about what has happened and the way in which it was handled. She recently got a letter from the Michigan Liquor Control Commission stating that on August 11, 1992 a liquor license was approved by the City Council for the bar next door to them owned by the Starr's. She asked why none of the residents or businesses in this area were notified of this request prior to its approval. When they got news of it, it was already a 'done deal'. She accused City Council of being underhanded and talking out of both sides of their mouths on this. Councilmember Benavides said this license received the proper administrative review. These requests are no longer reviewed by Council before passage. They are routine matters that received inspections and sign-off's of appropriate staffmembers, and then come to Council for approval. Council was not aware that there was a problem with this license until it had already been recommended. Council President Crawford said that the City has no say in these matters, except to say whether or not the applicants have met the zoning and building code requirements. These are the only enforcement actions we can take according to State Law. If this license was denied for any other reason we would be subject to a law suit. Councilmember Schmidt said that she was approached with the objections of businesses and residents. She talked to President Crawford and Vice-President Canady about it. They were advised by the City Attorney that all requirements had been met, so they had no opportunity to hold this up, but, in fairness to the residents, they should have let the community know that this request was going through. Councilmember Ford said that not knowing that there were any concerns about this license they made their recommendation based only on administrative procedures. Building Code requirements were met, and zoning was proper. They had no idea until later that there were problems with this.

Lloyd Teets of 116 E. Elm St. said the City Clerk changed the count of registered voters residing in the City of Lansing after being served with a law suit. They now say the amount of registered voters in the City is 80,357. He does not believe this figure is accurate either.

Willie Davis of 1136 Shepard said he lives on the East side of Lansing, and is trying to reduce drug traffic. The city has been cooperative, but they should be trying to do something about jobs. These people need to have jobs provided for them.

Richard Winanz of 1116 Riley St. said he does not like the way Council handled the situation with the petition drive by Citizens for a better Lansing. He questioned the qualifications of, the City Clerk. Councilmember Canady said that it was not Council's mistake and they should not have to vote for something they are opposed to because of someone else's mistake.

Douglas Fairchild of 107 May St. said that when purchasing property you should get a Real Estate Lawyer and a Building Inspector to go over the property for you. He suggested that Kevin Jackson would do very well in the WWA or the WWF. He said he gets more information from attending Council meetings than he could get from the Lansing State Journal.

Dr. Earl T. Pauley, Jr., no address given, said that he was at a National Medical Convention for the last few weeks. He said speed limits need to be cut.

Thomas Shields of 1118 Riley St. asked how much money the city is losing in property taxes by buying the unoccupied business properties on E. Michigan Ave. and Grand Ave. Firestone he said has been downtown for 40 or 50 years. It is sad to see all these businesses gone. He would like a clearer picture of where the downtown area is heading. Mayor McKane said this is a very small number. He will report the figures next week in his letters.

John Holmes of 818 Vernon said the city has not served the citizens of Lansing well. Council should have put this issue on the ballot, and Mayor McKane should not have made comments against it. They want this issue put on the ballot and will not hesitate to circulate recall petitions if their wishes are ignored.

Marilynn Shapiro of 223 N. Foster said that even though she does not support the issue of term limitations she is very unhappy about the way it has been handled. The City Clerk screwed up. He apparently does not know how to count the number of registered voters in the City, nor does he know how to run an election. However, Citizens for a Better Lansing came to Council and asked them to fix Mr. Blair's mistake and they refused. Councilmember Canady replied that Council never received a written request from CFBL to place this issue on the ballot. The Clerk made the written request. As of right now, the Clerk has not even counted the signatures. They do not know how many signatures there are. Court is the right place for this. Councilmember Benavides said that Council approved money for this, subject to the Elections Commission saying there were enough signatures to put this on the ballot. Councilmember Ford said this is not a dead issue. They have a year to collect more signatures and this can go on next year's ballot. Councilmember Beal said she disagrees with the rest of Council on this issue. This will not go away. The State requires that the Clerk count these signatures. There is no such thing as an inactive voter and this file should have been purged every year since 1989. She thinks the lower number will hold up and there will be enough signatures to put this issue on the Ballot. It is unfortunate that this group had to spend money and hire a lawyer, but the judge will rule in their favor. She hopes that the ballots have not been printed by that time, because the City of Lansing will have to go to the extra expense of printing special ballots. She said she is

tired of listening to this. Council President Crawford said that the staff that was absent from the Clerk's Office when the figures were given returned from vacation and corrected his mistake. Ms. Shapiro called this 'Clerk bashing' and said it was within Council's power to put this on the ballot, but instead they are paying the City Attorney and the Courts to litigate this issue. She said Council should stop worrying about whose fault this is and quit wasting tax money.

Harold Leeman of 529 N. Francis asked if the Lansing Center vote would be on next week, or is it still up in the air. He chastised the city for taking Mr. Bernstein and Mr. Curtis to court. He thanked TV6 for showing up at the Elections Commission meeting. He said there were a lot of interesting comments by Officers on this Board. The City Attorney, he said, is hired and fired by the Mayor and confirmed by Council. He made statements in writing to this group and on the 11th of August everything was changed. They want this issue on this year's ballot not next year. Voters will not turn out next year, they will turn out this year. He accused Council, the Mayor, and the Clerk of being afraid of this issue. Thirteen hundred dollars have already been used up and Mr. Blair will be back for more money. The City Attorney will use a lot of money litigating this. This is not over until it is over, he warned.

ADJOURNED 8:50 P.M.
JAMES D. BLAIR, CITY CLERK

300

**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING**

Proceedings, August 31, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
August 31, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt a letter from Thomas M. Cooley Law School regarding the opening of their new law library

2/ From Councilmember Ford a Committee Report by the Committee on General Services recommending approval of an amendment to Chapter 206, Section 206.18, Prevailing Wage Ordinance

3/ From Councilmember Benavides a letter from City Clerk Blair, Chairperson of the Election Commission containing the official certification for the Term Limitation Ballot Proposal

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled public hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke regarding the resolutions for demolish or make-safe on tonight's agenda. He said that at the rate these properties are being put through the process the City will never complete the 147 properties scheduled for this year. The City, he said, must have decided that the property at 1006 S. Grand was not so dangerous or unsafe after all, because, they are going to purchase the property and give it to Frontline Ministries for use in their homeless program.

Harold Leeman of 529 N. Francis reported that the resolution adopting the Boys Training School Study as an amendment to the Master Plan is missing from the black book in the back.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Letter from Robert B. Carowitz, Personal Representative of the Estate of William Peterson appealing zoning code violation issued August 10, 1992

REFERRED TO THE MAYOR

B. Claim appeal from Tina L. McClung of 322 West Fairfield

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

C. Notice from the Department of Natural Resources of Permit Number MI0023400, Authorization to Discharge Under the National Pollutant Discharge Elimination System issued to the City of Lansing for 1625 Sunset Avenue

REFERRED TO THE MAYOR

D. Letter from the Department of Commerce regarding Public Act 147 of 1992, Neighborhood Enterprise Zones

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mrs. Flaherty had no comments

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #463

August 28, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Ford Orlo Jones, David L. Dunckel

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City notifying Councilmember of the Availability of Minutes from Council Proceedings of August 24, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Parking Expansion—Response to Citizen Inquiry

RECEIVED AND PLACED ON FILE

2/ Account Carry Forwards into Fiscal Year 1992-93

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Resolution to Approve Sanitary Service Agreement with DeWitt Charter Township

REFERRED TO THE COMMITTEE
ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #464

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the annual report prepared by the Forestry Section of the Parks and Recreation Department,

REPORTS AS FOLLOWS: The Committee reviewed the lengthy report covering fiscal year 1991-92 with Forestry Manager Paul Dykema. The Committee was impressed by receipt of the "Tree City USA" award for the eighth year. In addition, Lansing is only the eighth city in the United States to receive accreditation of our forestry program by the Society of Municipal Arborists. We also were one of a handful of communities to receive a grant from the federal Small Business Administration for the purpose of having a small business plant trees on government-owned land. More than 7,500 trees were planted during the fiscal year, of which nearly 6,700 were in City parks and nearly 450 were in the parkways of City streets. The unit cost per planted tree remains remarkably low. The Committee commended the Forestry Section for its FY92 production. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

August 31, 1992

RESOLUTION #465

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the ordinance to amend Chapter 206, Section 206.18 of the City Code, for the purpose of adding penalties for failure to pay prevailing wages on City construction contracts,

REPORTS AS FOLLOWS: The amendment was recommended by the Mayor and the Human Relations staff responsible for monitoring compliance of the existing prevailing wage provision in Section 206.18. The ordinance received favorable comment at its public hearing. The Committee recommends that the ordinance be

adopted.

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

August 31, 1992

RESOLUTION #466

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the letters from property owners within the Washington Mall and Environs protesting the mall maintenance special assessment,

REPORTS AS FOLLOWS: The Committee hereby refers these letters to the Mall Advisory Board for responses to their specific protests. The responses should also include a summary of the maintenance services provided under the contract for which the special assessment pays. This report is for information only, and no Council action is required.

Signed: Robert Brockwell
Ellen M. Beal
Tony Benavides

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

August 31, 1992

RESOLUTIONS

RESOLUTION #467

PUBLIC IMPROVEMENT III

By Councilperson Canady

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the special assessment roll for the sanitary sewer in Benton Boulevard,

PROPERTY BENEFITTED:

All lands fronting on Benton Boulevard between Delta River Drive and Wilson Avenue excepting all public streets and alleys and other land deemed not benefitted.

The estimated expense of said improvements, based upon the construction bid is as follows:

	CITY	ASSESSABLE	TOTAL
ROLL 324	SHARE	TO PROP.	PROJECT
		OWNERS	COSTS
SAN. SEWER	8,071.77	20,229.71	28,301.48
OTHER COSTS	8,840.63	-----	8,840.63
TOTAL COSTS	16,912.40	20,229.71	37,142.11

Project to be part of the Benton Boulevard Sanitary Sewer Project, PS#14132 (1992 Sewer Extension).

as returned by the City Assessor be received and place on file, and the City Clerk be directed to publish a notice thereof by publication in a local newspaper for five days in accordance with Chapter 1026 of the Code of Ordinances.

Resolve further, that the City Council will meet at the Council Chambers on Monday, September 14, 1992 for the purpose of reviewing said assessment roll.

Let it be known any person who wishes to protest this special assessment must appear and protest at the special assessment hearing in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required. The City shall maintain a record of the parties who appear to protest at the hearing. If a hearing is terminated or adjourned on the day before a party is provided the opportunity to be heard, a party whose appearance was recorded is considered to have protested the special assessment in person.

I hereby certify that funds are available for the City of Lansing's share of said project as follows:

City Share of Sanitary Sewers	590-453670-973000-20100	\$16,912.40
Assessment Roll No.	324-404-453670-973000-62003	\$20,229.71

Charles S. Remenar

By Councilmember Canady

Carried unanimously

RESOLUTION #468

By the Committee on Physical Development

WHEREAS, the Charter Township of Lansing has requested sanitary sewer service be provided to the following address:

Lot 206 North Grace Street (N.W. Corner Grace and Genesee)

WHEREAS, it appears to the Township and the City that an extension of such service will be of mutual benefit to both parties.

BE IT RESOLVED that the extension of sewer service to the addresses as indicated here in is hereby approved subject to the following conditions:

1. The Township, shall submit the following data:
 - A. The legal description of the area to be served;
 - B. Anticipated maximum sewage flow;
 - C. The name(s) of the owner(s) of record of all parcels of land located within said area and the name of the developer of said land, if the identity of the developer is known and is not an owner;
2. Prior to the award of any construction contracts or the issuance of required permits, the Township shall submit to the City a "Utility Equity Investment Fee". Said fees are \$4,096.05 per acre and shall be revised on July 1 of each year. Said Utility Equity Investment Fee shall be computed on the basis of the formula and method as determined by the Finance and Public Service Departments.
3. The City of Lansing will not participate in any costs for the extension of sanitary sewers or appurtenances, right of ways required, or legal, engineering and inspection fees.
4. The City shall not be responsible for any costs of construction

or maintenance of the individual house leads from the user's building to, and including the connection with the sewer main located in the street or within a sewer easement.

5. In the case of borderline streets, where the City has previously constructed a sanitary sewer, connections will be allowed, subject to the payment of the utility equity investment fee and payment of the assessment cost as previously paid by residents of the City, and subject to all other provisions of this agreement.

6. A permit from the Department of Public Service from the City of Lansing shall be obtained prior to any sanitary sewer construction work. Detailed plans and specifications prepared by a registered Engineer shall be submitted to the Lansing City Engineer for review and approval prior to issuing the sanitary sewer construction permit.

7. If at all practical all sewer lines shall be placed in street Right of Way. If easements across private property are required, the Township shall acquire same at Township expense and in the name of the Township. Said easements shall be assigned to the City of Lansing, for the purpose of constructing and maintaining sanitary sewer system. All easements shall be properly recorded.

8. Upon completion of construction of sewers built, and prior to placing said system in use, satisfactory evidence shall be submitted to the City Engineer that the plans and specifications have been fully complied with and that the sewers may be placed in service. Upon submitting such evidence as may be required by the City Engineer, he/she shall, within thirty (30) days thereof, issue a letter of acceptance to the Township, and the City will then accept the system for maintenance and the sewage for treatment.

9. Permits for all connections to the main sewer will be required to assure that adequate records are maintained. Permits shall be issued by the Department of Public Service of the City of Lansing, prior to Lansing Charter Township issuing a building permit.

10. The Department of Public Service of Lansing shall maintain all records pertaining to the extension of services. The Department of Public Service of Lansing shall also provide all necessary forms or permits.

By Councilmember Canady

Carried unanimously

RESOLUTION #469

August 20, 1992

COMMITTEE ON PHYSICAL DEVELOPMENT

Boys Training School

Planning Development Study

WHEREAS the City of Lansing, in cooperation with the Eastside Neighborhood Organization, Sparrow Hospital, Lansing School District and Lansing Catholic Central High School has completed the Planning and Development Study for the State of Michigan's Boys Training School property and surroundings; and

WHEREAS the City of Lansing Planning Board, on February 18, 1992, adopted the Study as an amendment to the Master Plan; in particular the Northeast Area Comprehensive Plan; and

WHEREAS the plan contains recommendations regarding the

development for approximately 45 acres of state owned land intended to be sold; and

WHEREAS it is in the best interest of the fulfillment of the plan that the city work with the State of Michigan in disposition of the land; and

WHEREAS the Council Committee on Physical Development concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the adoption of the Boys Training School Property Planning and Development Study as an amendment to the Master Plan, in particular the Northeast Area Comprehensive Plan; and

BE IT FURTHER RESOLVED the Lansing City Council hereby approves of and requests that the Administration of the City negotiate with the State of Michigan Department of Management and Budget in the development of a disposition plan for the state owned lands contained within the Study.

By Councilmember Canady

Carried unanimously

RESOLUTION #470

THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1129 West Ionia Street, legally described as:

W 1 R Lot 7 & E 3 R Lot 8, Block 2 Frenchs Sub.

was an unsafe or dangerous building as defined in section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on March, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution August 31, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said

building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

August 31, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #471

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1030 East Kalamazoo Street, legally described as:

E 33 ft. Lot 11, Block 2, Lansing Improvement Company's Add.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 25, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on August 10, 1992 to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW THEREFORE BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution August 31, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall

be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

August 31, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #472

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 3126 South Cedar Street, legally described as:

8 44 ft. Lot 1, Block 1, Oak Crest Sub.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 25, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on August 10, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution August 31, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

August 31, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #473

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 3108 Maloney Street, legally described as:

Lot 383, Pleasant Grove Sub. No. 1

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 25, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on August 10, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution August 31, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the

address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

August 31, 1992

By Councilmember Brockwell

Carried unanimously

RESOLUTION #474
COMMITTEE ON PUBLIC SERVICE

WHEREAS, Frontline Ministries has, with the support of numerous nearby business persons, residents and neighborhood associations, proposed that the City acquire the property located at 1006 South Grand Avenue for rehabilitation and reuse by Frontline Ministries as a part of its homeless operations; and

WHEREAS, the property located at 1006 South Grand Avenue has been a blighting influence on the neighborhood in which it is located, and is in the process of being ordered to be made safe or demolished by the City of Lansing; and

WHEREAS, the property located at 1006 South Grand Avenue is a vacant structure recently repossessed by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD has tendered a Sales Contract to the City under which it agrees to sell the property located at 1006 South Grand Avenue to the City of Lansing for \$5,500; and

WHEREAS, the City administration believes it would be a prudent investment of its Community Development Block Grant funds to acquire this property from HUD and to provide it to Frontline Ministries for rehabilitation and reuse acceptable to and supported by the neighborhood in which it is located;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that the City administration be and is hereby authorized to acquire the property located at 1006 South Grand Avenue, legally described as the North 6 rods of Lot 1, Block 199, Original Plat (being Permanent Parcel No. 3301-21-252-090-2), and to subsequently convey fee simple title to this property to Frontline Ministries (a Michigan non-profit corporation) with the requirements that Frontline Ministries cause this property to be rehabilitated to the satisfaction of the City Building Safety Division and then reused as a part of the homeless operations of Frontline Ministries, in accordance with the City's Zoning Code; and

BE IT FURTHER RESOLVED that, inasmuch as 1006 South Grand Avenue has a record of being used for residential purposes, no environmental audit shall be deemed necessary prior to the acquisition of this property by the City administration; and

BE IT FINALLY RESOLVED that all consideration of ordering this property to be made safe or demolished shall cease upon the date that the Sales Contract with HUD is executed by HUD and the Mayor on behalf of the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #475
PUBLIC IMPROVEMENT IV

RESOLVED, by the City Council of the City of Lansing:

That the supplementary special assessment rolls M9201 and M9202 for maintenance districts and assessments as follows:

DISTRICT M9201

Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

Mall Estimated Cost: \$60,060.00

Side Street Estimated Cost: \$67,483.00

DISTRICT M9202

Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

Estimated Cost: \$36,142.00

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 30th day of October, 1992.

By Councilmember Brockwell

Adopted by the following vote:

YEAS: Councilmembers Beal, Benavides, Brockwell, Crawford, Ford, Schmidt

NAYS: Councilmembers Belen and Canady

ABSENT: None

RESOLUTION #476

BY COMMITTEE ON WAYS AND MEANS

8/31/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$2,000.00 from Est. Rev. A/C 101-000000-170001-00000
2,000.00 to Parks & Rec.—Bgt. Ctrl.

A/C 101-783860 992200-00000

(Donation from Lansing Youth & Recreation Fund for 1992 Kids' Camps. To Memo account 101-783833-707000-900001.)

Submitted By: Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

By Councilmember Ford

That we proceed to the passage of Ordinances.

By Councilmember Ford

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Ford

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 206, Section 206.18 for the purpose of providing penalties for failure to pay prevailing wages on Construction Agreements and requiring that this provision for penalties be placed in all bid documents for Construction Agreements be placed on order of immediate passage

By Councilmember Ford

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 206, Section 206.18 for the purpose of providing penalties for failure to pay prevailing wages on Construction Agreements and requiring that this provision for penalties be placed in all bid documents for Construction Agreements be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 855

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND CHAPTER 206 OF PART TWO, TITLE TWO OF THE LANSING CODE OF ORDINANCES BY AMENDING SECTION 206.18 FOR THE PURPOSE OF PROVIDING PENALTIES FOR FAILURE TO PAY PREVAILING WAGES ON CONSTRUCTION AGREEMENTS AND REQUIRING THAT THIS PROVISION FOR PENALTIES BE PLACED IN ALL BID DOCUMENTS FOR CONSTRUCTION AGREEMENTS.

The City of Lansing ordains:

Section 1. That Section 206.18 of the Code of Ordinances of the City of Lansing, Michigan, is hereby amended to be read as follows:
206.18 PAYMENT OF Prevailing Wage and Benefit REQUIRED; NOTICE OF DEFICIENCY; FAILURE TO PAY DEFICIENCY IS A MISDEMEANOR;

A. No contract, agreement or other arrangement for CON-

STRUCTION on behalf of the City and involving mechanics and laborers, INCLUDING TRUCK DRIVERS OF THE CONTRACTOR AND SUBCONTRACTORS, employed directly upon the site of the work, shall be approved or executed BY THE CITY, unless the contractor and his or her subcontractors furnish proof AND AGREE that such mechanics and laborers so employed SHALL receive at least the prevailing wages and fringe benefits for corresponding classes of mechanics and laborers, as determined by statistics compiled by the United States Department of Labor and related to the Greater Lansing area by such Department.

B. ANY PERSON, FIRM, CORPORATION, OR BUSINESS ENTITY UPON BEING NOTIFIED THAT IT IS IN VIOLATION OF SECTION 206.18 AND THAT AN AMOUNT IS DUE, SHALL HAVE THIRTY (30) DAYS FROM THE DATE OF THE NOTICE TO PAY THE DEFICIENCY BY PAYING THE EMPLOYEE OR EMPLOYEES, WHICHEVER IS APPROPRIATE, THE AMOUNTS DUE.

C. IF THE PERSON, FIRM, CORPORATION, OR BUSINESS ENTITY FAILS TO PAY WITHIN THE THIRTY (30) DAY PERIOD, THE OFFENSE SHALL BE PUNISHABLE AS A MISDEMEANOR AND IF GUILTY, THE SENTENCE SHALL INCLUDE THE FOLLOWING:

1. PAYMENT OF ALL WAGES AND FRINGE BENEFITS, PLUS INTEREST AT 2% PER MONTH ON THOSE WAGES AND FRINGE BENEFITS DUE THE EMPLOYEE;

2. THE COST OF COLLECTION BY THE CITY WHICH SHALL BE CALCULATED USING THE HOURLY WAGE AND FRINGE BENEFITS COSTS OF THE CITY EMPLOYEE(S) INVOLVED IN THE ENFORCEMENT AND COLLECTION OF THE WAGES; AND

3. THE PROHIBITION FROM BIDDING ON OR PERFORMING ANY WORK AS A SUBCONTRACTOR ON OR BEING AWARDED ANY CONTRACT INVOLVING THE CITY FOR A PERIOD OF THREE (3) YEARS FROM THE DATE THE PERSON, FIRM, CORPORATION, OR BUSINESS ENTITY IS FOUND GUILTY.

D. THIS PROVISION SHALL BE INSERTED IN ALL BID DOCUMENTS REQUIRING PREVAILING WAGES.

E. THE ENFORCEMENT AGENCY FOR THIS PROVISION SHALL BE AS DETERMINED BY THE MAYOR.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Schmidt a letter from Thomas M. Cooley Law School regarding the opening of their new law library

RECEIVED AND PLACED ON FILE

2 / From Councilmember Ford a Committee Report by the Committee on General Services recommending approval of an amendment to Chapter 206, Section 206.18, Prevailing Wage Ordinance

HANDLED AS RESOLUTION #465

3 / From Councilmember Benavides a letter from City Clerk Blair, Chairperson of the Election Commission containing the official certification for the Term Limitation Ballot Proposal

RECEIVED AND PLACED ON FILE

REMARKS BY THE EXECUTIVE ASSISTANT TO THE MAYOR

Mrs. Flaherty had no comments

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt said she received a complaint from a constituent regarding businesses watering their lawns too close to the street and creating a dangerous situation for drivers that get wet while driving by and have to contend with the change in road surface conditions. She asked Howard McCaffrey, Director of the Public Service Department, about the degree of trenching being done on City Streets. Pennsylvania Ave., Sycamore St., Grand River Ave., and Harding St. all have remaining surface problems. She would like to see the contractor held responsible for leaving the surface the way they found it. Mr. McCaffrey said that he will keep advised on this situation. Consumers Power is currently doing the work. Sometimes one phase of construction does not immediately follow another creating a time lapse in completion of a project.

Councilmember Belen reported that L.A.S.E.R. is attempting to put a house in the Cherry Hill neighborhood. She asked City Attorney, Al Knot to advise them on the necessary procedures. Their Special Land Use request has been granted.

Councilmember Canady asked City Attorney Knot to expedite the claim of St. Joseph's for the loss of football equipment. Their season starts September 14th and they cannot wait the customary 60 days for processing of the claim.

Councilmember Brockwell announced the dedication of the Louis F. Adado Riverfront Park this Saturday at 11:00 A.M. He advised Mr. Teets of a house that went through the Demolition process and the owner of the property demolished the structure before the City ordered the demolition. This property owner subsequently built a new house on his property. The process sometimes has positive results, all vacant land does not remain vacant.

Councilmember Benavides pointed out that the Dedication Ceremony for the Louis F. Adado Riverfront Park falls on his birthday. He announced that next Thursday at 4:00 the Committee of the Whole will discuss the Sparrow Hospital expansion program.

CITIZENS MAY COMMENT

Howard Jones of 426 W. Barnes thanked the citizens who worked on gathering petition signatures and everyone who signed the petitions of Citizens for a Better Lansing. He will not thank the administration of the city and hopes that the registration rolls of the city are kept up to date so that this situation does not happen again. He said Council owes the residents of the city an apology. Only Councilmember Beal gave this petition any credence. Now the voters will determine if terms get limited. In the future any group that comes before the city should be given justice and assistance and not be discredited. Councilmember Ford responded that Council at no time tried to hinder or stop this process. He stated last week that it would be premature of Council to place this issue on the ballot before the signatures were counted or verified and his position on this stands. Council did everything it could to make sure that the petitioners were given the opportunity to put this issue on the ballot. No one on Council wanted this group to lose. Councilmember Schmidt said she has not addressed this issue whatsoever, however as a member of the Ways and Means Committee who arranged for the request for funding for the additional staff

members needed to validate signatures, she is aware of the formal arrangements that were made. Council was in agreement that this should be done, the rest of it was up to the Clerk, they did their part.

Lloyd Teets of 116 E. Elm took exception to these remarks. He accused Council of having the City Attorney vote that the amount of signatures necessary to put this issue on the ballot was higher than it should have been. Mr. Blair is not in this by himself, the entire Elections Commission was in on it. He said Council staged this. He informed Council that Mr. Curtis's trial is scheduled for tomorrow.

City Clerk, Jim Blair said that Mr. Jones, as a former candidate for Office in the City of Lansing, should be more discriminate in his accusations. His group was given the correct information when they came into the Clerk's Office, but key personnel were on vacation and not available to provide the information necessary for the Elections Commission to certify the correct amount of signatures necessary to place this issue on the ballot. He has accepted responsibility for this error and issued apologies to the group. Council did hurt the situation with their Committee Report requiring a recommendation from the Election Commission regarding the release of funds to canvass the signatures. Only the Commission could have allowed him to finish the canvass of the signatures, but when the wrong information was given, the Commission made him stop the canvas. He knew there was something wrong with the count the Elections Commission adopted, but the "key" person was not available to correct the information submitted to the Clerk and the Elections Commission. The canvas was done when this employee returned from vacation and corrected the error. The Elections Commission did what they had to do, as did Council and the City Clerk's Office. The end result is that this proposal is on the ballot and he resents the accusations of fraud in the Clerk's Office, Council, and the Elections Commission.

William Bernstein of 420 Baker St. accused Council of making a mockery out of him, throwing him in jail, and rigging his trial. He said Council is here to represent the citizens of the city of Lansing, but they misrepresent them instead.

Willie Davis, President of the Walsh Park Neighborhood Association spoke regarding the need for jobs in the City. He suggested that the city should be doing more to create jobs for people who sell crack cocaine. The City needs a strong jobs program. He said most sales of crack cocaine are by young black men and most purchases are by young white men and women. Only the blacks are arrested, however, and the whites who are purchasing the drug should be arrested too.

Jim Begley of 535 Paris asked Council about the status, in the demolition process, of property at 539 Paris. This house has been boarded up since last October. It is structurally unsafe and was supposed to be demolished by September 18, 1992. Now the owner is inside doing superficial surface work, but not the kind of substantial repair needed to bring this house up to code. The owner has been taking advantage of lower income people to whom he rents this house. He asked Council to put pressure on the Building Department to carry out the demolition of this house. Councilmember Schmidt said that the property owners were given 30 days to bring this house up to code. Bids have gone out on the demolition of this house. The cement block structure is rotted out. The foundation, roof, and walls are all in very bad shape. She spoke with the Building Safety Department this morning and Mr. Hernandez

was very adamant that nothing will stop the demolition process. The owner has the right to take out building permits, but, this does not mean that the house has to be taken out of the demolition process. The only way for the demolition to be cancelled is for the owner to make enough repair on it so that it no longer meets the criteria for an unsafe or dangerous structure. This should be extremely difficult to do in the time left to him.

Tom Shields of 1118 Riley St. asked for the figures promised him by Mayor McKane last week. Mrs. Flaherty directed his attention to Item #X C-1, Mayor's response to Mr. Shields' question about how much money the city would lose in property taxes each year from businesses the city bought on Michigan Avenue. The total amount of property taxes from these business is \$42,212.00.

Douglas Fairbanks of 107 May St. suggested that the city ship out its' unsafe or dangerous buildings to the south for rehabilitation. He said all the Councilmembers deserve a hand from the people in the audience. They do a fine job.

Dr. Earl T. Pauley Jr., of 601 N. Cedar St. spoke on the hazards of over the counter drugs.

Dave Chipetta of 2400 Strathmore thanked Councilmembers for taking the time to serve the City. He said that the first time he is prevented from voting for his candidate of choice because of term limitations he will have to pursue it in court. He cannot think of any other part time job with the demands of this one for this kind of pay.

Dale Bryzinski, Business Manager of Laborers Local #998, thanked Council for the adoption of the prevailing wage ordinance.

Dale Johnson, Director of Frontline Ministries thanked Council for the acquisition of property at 1006 S. Grand.

ADJOURNED 8:15
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

309

Proceedings, September 8, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
September 8, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Brockwell, Canady, Crawford, Ford

ABSENT: Councilmembers Belen, Benavides, Schmidt. Councilmembers Belen and Schmidt arrived at 7:40 P.M.

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

MINUTES

By Councilmember Ford

To approve the Printed Council Proceedings of June 22, and June 29, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Canady

To accept the following under suspension of the rules

1 / From Councilmember Canady a resolution approving the official ballot language for a charter amendment regarding term limitations for elected city officials

2/ From Councilmember Schmidt a letter from Philip T. Ballbach, Ingham County Commissioner 19th District regarding HAZMAT procedures used in response to hazardous material accidents

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of an order to Make-safe or Demolish for property located at 916 W. Lapeer

Lloyd Teets of 116 East Elm said he has spoken at the public hearings of 50 of the 147 properties scheduled for the demolition process this year and has yet to hear which of the nine criteria any of these houses qualify under as dangerous, or unsafe structures.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

B. In consideration of an order to Make-safe or Demolish for property located at 1100 W. Ionia

There were no speakers at this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. In consideration of an order to Make-safe or Demolish for

property located at 917 Hickory St.

Judy Graybeal of 917 Hickory St. said that she is working on fixing her house up, but she has questions about what has to be done and she needs some help with it. Council President Crawford directed her to the back of Chambers for a meeting with James Kzeski, Director of the Building Department.

Lloyd Teets asked why this meeting has to be held behind closed doors. This woman should be able to address her questions to Mr. Kzeski and Council in public, he stated. Mayor McKane responded that Mr. Kzeski had the courage to speak publicly, if the President requested that he do so. He is talking to the property owner in the back of the room because that is what Council President Crawford requested. Council President Crawford explained that this matter will go before committee. Any questions the property owner has for Council would be best addressed at that time. This is the time for people to voice their concerns to council not a time for questions and answers.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

Lloyd Teets of 116 East Elm St. spoke regarding item XII D, outside legal counsel for the City of Lansing and the Board of Water & Light. He goes to most of the Board of Water & Light meetings. Last month they had a list of legal firms they will appoint matters to. The list they presented is the same as Council's list tonight. Council, he said, is never present at the Board of Water & Light meetings. He is interested in how they came up with this list. He said that he has been unable to locate the law requiring Council approval of the ballot language for term limitations. The City Clerk did a terrible job with this petition drive. The Clerk should have a booklet informing the public on the procedure for changing these laws. There is not enough time in a lifetime to read all the laws a person is supposed to obey. Councilmember Canady informed Mr. Teets that the statute in question could be found in MCLA 117.21.

SPECIAL CEREMONIES

There were no special ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Z-17-92, 5139 Balzer petition to rezone from Residential "A" to Commercial "J" & "F" by Howard Soldan of 5200 S. Logan to allow for expansion of existing storage space

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Withdrawal of Appeal to the Michigan Tax Tribunal by Gould

Investors/Holmes & Logan MTT Docket #165801

REFERRED TO THE CITY ATTORNEY

C. Request for extension of sewer service on Renee Street from James R. Hause of 2229 Park Lane

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane outlined his letter on tonight's agenda; #1 notification of the inquiry by Utilicorp into the purchase of the Board of Water & Light, #2 copy of the information request from Utilicorp regarding the Board of Water & Light, #3 letter to Joseph Pandy requesting that he give Utilicorp the information requested, #5-8 recommendations from the Traffic Board, #9 reappointment of Max Shunk to the CATA Board.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #477

September 8, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

POOL ROOM/BOWLING ALLEY: Holiday Recreation
PUBLIC DRIVER: Harry Gale Letts, Dave Vern Meeker, Jane E. Scott
SIGN ERECTOR: Warren Sign Systems
VEHICLE FOR HIRE: Tom McNeil/McNeils Market, Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmember of the Availability of Minutes from Council Proceedings of August 31, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Committee to Study Possible Sale of Board of Water & Light

RECEIVED AND PLACED ON FILE

2/ Request for Information Regarding Board of Water & Light from UtiliCorp United

RECEIVED AND PLACED ON FILE

3/ Letter to Joseph Pandy, Jr., Board of Water & Light regarding

request for information from Utilicorp United

RECEIVED AND PLACED ON FILE

4/ Reallocation of unspent 1991 Michigan Equity Grant Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ Parking Regulation Change Request: Barnes Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Parking Regulation Change Request: Grand Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7/ Parking Regulation Change Request: Lansing School District—Chestnut St. and Lenawee St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8/ Traffic Control Request: Greenwood Avenue and Robertson Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9/ Recommendation for Reappointment of Max Shunk to the C.A.T.A. Board

**REFERRED TO THE COMMITTEE ON
INTERGOVERNMENTAL AFFAIRS**

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #478

BY COUNCILMEMBER ROBERT BROCKWELL

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to reappoint Stephen Reck to the Plumbing Board, term to expire June 30 1996, is hereby approved.

September 8, 1992.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #479

BY COUNCILMEMBER MARK CANADY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the DeWitt Charter Township have found it to be of mutual benefit to have the Township provide sanitary sewer service to properties located in Lansing Township, within the City of Lansing sanitary sewer service area; and

WHEREAS, the Public Service Department recommends that the City now enter into a Sanitary Sewer Service Agreement with DeWitt Charter Township, and Lansing Charter Township; and

WHEREAS, in addition to stipulating new terms and conditions, this new agreement will reduce the area of the Township served by the City of Lansing Sanitary Sewer System; and

WHEREAS, the City will incur no expense to implement this agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Lansing hereby approves the DeWitt Township Sanitary Sewer

Agreement; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Lansing is authorized to sign the new Dewitt Township Sanitary Sewer Agreement subject to approval by the Lansing City Attorney, and contingent upon the approval of this agreement by the DeWitt Charter Township, and the Lansing Charter Township Boards.

By Councilmember Canady

Carried unanimously

RESOLUTION #480

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee on Public Safety has interviewed John N. Weis, the Mayor's appointee to fill an at-large vacancy on the Board of Police Commissioners, and found him to be well qualified;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of John N. Weis to the vacant at-large seat on the Board of Police Commissioners, for a term to expire June 30, 1996.

September 8, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #481

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Community Corrections Advisory Board has proposed Mr. Frank Reynolds for reappointment to the Board representing criminal defense attorneys for a new term expiring on September 17, 1995; and

WHEREAS, the Committee on Public Safety recommends that the Council approve this reappointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the reappointment of Frank Reynolds to the Community Corrections Advisory Board, to fill the criminal defense attorney seat for a new term to expire September 17, 1995; and

BE IT FURTHER RESOLVED the Clerk is directed to forward a copy of this resolution to the Ingham County Board of Commissioners.

Sep. 8, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #482

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County / City of Lansing Community Corrections Advisory Board (CCAB) has prepared an amendment to the eligibility criteria for the Residential Probation Center and volunteers in Probation program, to be effective as of September 1, 1992, if approved by the City Council and the Ingham County

Board of Commissioners; and

WHEREAS, the Committee on Public Safety has reviewed the amendment with members of the CCAB, and recommended that the Council grant approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the amendment to the eligibility criteria for the Residential Probation Center and Volunteers in Probation program prepared by the Ingham County / City of Lansing Community Corrections Advisory Board; and

BE IT FURTHER RESOLVED the Clerk is directed to forward copies of this resolution to the Ingham County Board of Commissioners and to the Community Corrections Advisory Board.

Sep. 8, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #483

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County / City of Lansing Community Corrections Advisory Board has submitted the FY92-93 Application for Funds for review and approval by this Council prior to submission to the Michigan Office of Community Corrections; and

WHEREAS, the Committee on Public Safety has reviewed the application with the CCAB chairperson and has recommended Council approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Ingham County / City of Lansing Community Corrections Advisory Board application to the Office of Community Corrections, Michigan Department of Corrections, for renewal of the CCAB grant covering October 1, 1992, through September 30, 1993; and

BE IT FURTHER RESOLVED the Clerk is directed to send copies of this resolution to the CCAB and to the Ingham County Board of Commissioners.

September 8, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #484

BY: WAYS AND MEANS COMMITTEE

WHEREAS, situations arise where it is legally required and/or preferable to obtain outside legal counsel due to expertise in a particular area; and

WHEREAS, pursuant to the City Charter, City Council approval is required before outside legal counsel may be utilized by the City Attorney or the Board of Water and Light's legal counsel; and

WHEREAS, the City Attorney and the Board of Water & Light's legal counsel solicited responses from and interviewed a number of qualified legal firms interested in doing business for the City and/or

the Board of Water & Light, and

WHEREAS, based upon the written information submitted, the interview responses, the prior performance of the legal representation some of these firms have provided to the City and/or the Board of Water & Light and the expertise required in certain areas of legal representation, the City Attorney and the Board of Water & Light legal counsel have prepared a list of law firms they are recommending to the Mayor and City Council be pre-approved for outside legal work on behalf of the City of Lansing and/or the Board of Water & Light; and

WHEREAS, the Mayor has concurred in the City Attorney's and the Board of Water & Light's legal counsel's recommendations; and

WHEREAS, the Committee on Ways and Means has reviewed and concurs in the recommendations by the City Attorney and the Board of Water & Light's legal counsel;

NOW, THEREFORE, BE IT RESOLVED, that the following law firms be pre-approved for the next two (2) years for outside legal work on behalf of the City and/or the Board of Water & Light:

1. Canady Law Offices
2. Dickinson, Wright, Moon, VanDusen & Freeman, a Partnership
3. Dykema Gossett, a Partnership
4. Foster, Swift, Collins & Smith, P. C.

5. Howard & Howard Attorneys
6. Latterman & Associates, P. C.
7. Loomis, Ewert, Ederer, Parsley, Davis & Gotting, P. C.
8. Miller, Canfield, Paddock & Stone, a Partnership including Professional Corporations
9. Tucker & Rolf, P. C.
10. Varnum, Riddering, Schmidt & Howlett, a Partnership
11. Willingham & Cote, P. C.

By Councilmember Ford

To excuse Councilmember Canady from the vote on this item

Carried unanimously

By Councilmember Ford

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #485

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following accounts be reappropriated and carried forward into the Fiscal Year beginning July 1, 1992, in the lesser of the amount indicated or the unencumbered balance and the following FY 92 transfer(s) be approved:

The following transfer shall be made:

Fund	Memo Account Title	Control Account	Amount
Department			
Memo Account			
General Fund			
City Council			
101-112110-977000-0	Cablevision - Equipment	101-112101-992200-0	Unencumbered Balance
General Fund			
Capital Improvements			
101-933690-974200-13071	Sidewalks	101-933901-992200-0	Unencumbered Balance
101-933890-970000-13009	Potter Park Complex	101-933901-992200-0	Unencumbered Balance
101-933890-970000-13021	Park Acquisition and Development	101-933901-992200-0	Unencumbered Balance
101-933890-970000-13023	Ballfield Development	101-933901-992200-0	Unencumbered Balance
101-933890-970000-13061	South End Parks Improvements	101-933901-992200-0	Unencumbered Balance
101-933890-970000-13068	Kendon Park Development	101-933901-992200-0	Unencumbered Balance
101-933890-970000-13070	Parks Improvements	101-933901-992200-0	Unencumbered Balance

101-933890-974000-13017	Basketball Courts	101-933901-992200-0	Unencumbered Balance
101-933890-974000-13054	Turner Mini-Park	101-933901-992200-0	Unencumbered Balance
101-933890-974000-13069	Potter Moated Display	101-933901-992200-0	Unencumbered Balance
101-933890-975000-13022	Turner-Dodge Development	101-933901-992200-0	Unencumbered Balance
101-933890-975000-13052	Oak Park Improvements	101-933901-992200-0	Unencumbered Balance
General Fund			
Administrative Services			
101-173140-746300-0	Project Maintenance	101-173101-992200-0	\$27,100
Parks and Recreation			
Zoo Fund			
509-783835-970000-0	Capital Improvements	509-783835-992200-0	Unencumbered Balance
Park Trust Fund			
713-833890-970000-0	Ranney Trust Master Plan	713-833890-992200-0	\$3,000
\$1,800,000 from Estimated Revenues		*101-000000-170001-0	
\$1,800,000 to Capital Improvements**			
Control Account		101-933901-992200-0	

*Revenue Account 101-673100—Sale of Land—\$975,000

Revenue Account 101-567000—State Income Tax—\$825,000

**Memo Account 101-933990-970000-0—Capital/Infrastructure Improvements

Submitted by:

Janet L. Lazar, Director of Budget and Management

Stephen W. Duarte, Director of Finance

By Councilmember Brockwell

Carried unanimously

RESOLUTION #486

WHEREAS, citizens have submitted a Charter Amendment Initiative Petition to the City Clerk; and

WHEREAS, the City Clerk has certified that the appropriate number of signatures exist for placement of the Charter Amendment Initiative Petition on the November 3, 1992 General Election Ballot;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby directs in accordance with the provisions of State statute that the following question be placed on the November 3, 1992 General Election Ballot:

CHARTER AMENDMENT

BY INITIATIVE PETITION

SHALL THE LANSING CITY CHARTER BE AMENDED TO PROVIDE THAT COMMENCING ON JANUARY 1, 1993 NO PERSON SHALL BE ELECTED TO THE OFFICE OF CITY COUNCILMEMBER, MAYOR, OR CITY CLERK MORE THAN TWO TIMES AND IF A PERSON IS APPOINTED OR ELECTED TO FILL A VACANCY IN THE OFFICE OF CITY COUNCILMEMBER, MAYOR, OR CITY CLERK FOR A PERIOD OF ONE-HALF OR MORE OF THE REMAINING TERM OF THAT OFFICE, THAT PERSON SHALL BE CONSIDERED TO HAVE BEEN ELECTED TO SERVE ONE TIME IN THAT OFFICE?

YES ☐

NO ☐

By Councilmember Canady

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-15-92—229 North Pine Street

To be rezoned from "D-2" Residential/Office District to "D-1" Professional Office District

was introduced by Councilmember Canady, read a first and second time by their title and referred to the Committee on Physical Development.

RESOLUTION #487

By Councilmember Canady:

Resolved by the City Council of the City of Lansing, Michigan that a public hearing be set for Monday, September 28, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-15-92, 229 North Pine Street to be rezoned from D-2 Residential/Office District to D-1 Professional Office District.

By Councilmember Canady

Carried unanimously

ORDINANCES FOR PASSAGE

There Were no Ordinances for passage

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Canady a resolution approving the official ballot language for a charter amendment regarding term limitations for elected city officials

HANDLED AS RESOLUTION #486

2/ From Councilmember Schmidt a letter from Philip T. Ballbach, Ingham County Commissioner 19th District regarding HAZMAT procedures used in response to hazardous material accidents

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

By Councilmember Canady

To excuse Councilmember Benavides from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor McKane reminded everyone that green bag and recycling pickup will be delayed by one day this week because of Labor Day. The crews will be working Saturday to put the schedule back on

track for next week.

COUNCILMEMBER'S COMMENTS

Council President Crawford announced that the items pending the arrival of Councilmembers Belen and Schmidt would be dealt with in a special meeting on Thursday at 3:45 if they were unable to get to tonight's meeting before adjournment.

Councilmember Brockwell congratulated Councilmember Ford for winning his division in the "Gus Macker Tournament" last weekend at Riverfest. He said the ceremony dedicating Riverfront Park in memory of Louis F. Adado was a grand celebration.

Councilmember Ford thanked Councilmember Brockwell and commended the "Gus Macker Tournament" and the Capital City Riverfest. He said the slam dunk contest was the best one he has ever seen. A student from Everett High School won it.

PUBLIC COMMENT

Howard Jones of 426 W. Barnes spoke in opposition to the possibility of the sale of the Board of Water & Light to Utilicorp and urged Mayor McKane and Councilmembers to break off negotiations before they even start. He described the Board as a well run company dedicated to the service they provide to the Citizens of Lansing. He predicted that any possible gain would be short term and outweighed by the eventual increase in rates to the residents of the city. Anyone interested in joining their group to oppose the sale may call 485-0860.

Douglas Fairbanks of 107 May St. said he is opposed to the sale of the Board of Water & Light because it is the only place you can take your light bill and get free light bulbs. City Streets are in great shape, he said, and Lansing has the best mayor of anyone next to Coleman Young, and the best Council too.

Lloyd Teets of 116 E. Elm St. thanked the people who came to the booth of Citizens for a Better Lansing at the Riverfest. He disagreed with Mr. Jones's statement about the Board of Water & Light being a well run company. He claimed to have spent the last couple of years investigating them. He does not advocate selling the Board, but, does not think it is a well run company. He considers it to be a liability because of the way it is managed and predicted that figures on their generating capabilities will show they are not operating up to capacity because they are spending their money on the Belle River plant.

Scott Day of 1112 Southfield spoke on behalf of First National Bank, mortgage holder of the property at 916 W. Lapeer St. which is in the demolition process. The bank acquired this property through default and would like the opportunity to sell it and have it brought back up to code. Councilmember Ford asked for the estimated cost of repairing this structure. Councilmember Brockwell answered that the State Equalized Value of the house is 8,800, and the estimated cost for repair is between 40 to 60 thousand dollars. He advised Mr. Day that this property will be dealt with in Committee this week and asked him to attend the meeting. Mr. Day informed them that this property is one of the Quaker Management deals.

Dorothy Jones of 426 W. Barnes Ave. said that Citizens for a Better Lansing thought that the voters of the City should have an opportunity to decide how they feel about term limitations for City

Officials. Last spring they asked for the amount of registered voters in the City and how to go about making an amendment to the Charter. Their representative was bounced back and forth between the City Clerk and the City Attorney several times until in August they were told it fell under the Home Rule law of the State of Michigan.

Donna Collins of 225 Moores River Drive said that the figures pertaining to the number of registered voters in the City, given to them by the City Clerk were not right. They were given one figure the day before the August election and another, significantly lower figure, the day of elections. Their group was told by election workers for the City that they had been advised by someone from the City Clerk's office to add 500 people to the number of registered voters in their precinct. Members of the group went to the City Clerk's office to observe the canvassing and found, on the list of registered voters, names of people they knew had been dead for many years, and people who have not voted in 16 years. They are concerned about Lansing becoming involved in a "Mayor Daly" situation.

ADJOURNED 8:00

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

316

Proceedings, September 14, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
September 14, 1992

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Crawford.

PRESENT: Councilmembers Beal, Belen, Brockwell, Canady, Crawford, Schmidt

ABSENT: Councilmembers Benavides and Ford

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of July 6, and July 13, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell a letter from Frank J. Kelley, Attorney General, State of Michigan approving the ballot language for the initiative petition to limit the terms of elected city officials

2/ From Councilmember Brockwell a resolution waiving the fees for application of a special land use at 2613 Hillcrest by Colonial Townhouses

3/ From Councilmember Brockwell application for special land use SLU-15-92 submitted by Colonial Townhouses of 2202 Wadsworth

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider special assessment roll #324, Sanitary Sewer, Benton Blvd. between Delta River Drive and Wilson Ave.

Richard Sebring of 2501 Wilson Ave. said he owns vacant land that he received a notice of special assessment of \$2,500 on. He protested paying a sewer assessment on his empty land.

Dennis Wilcox of 2818 Benton Blvd. said he is already hooked in to the public sewer service on Delta River Drive, and asked why he is being billed for another sewer service hookup.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

PUBLIC COMMENT

Lloyd Teets of 116 East Elm St. said that he viewed this house today. He has looked at many of the houses in the demolition program and this is only the second one that he agrees should be demolished. He stated his concern over the way the tenants are evicted from these properties. The city should not be throwing these people out into the streets.

SPECIAL CEREMONIES

A. Fred Abood introduced Nancy Erickson, President of the Lansing Board of Education, who announced that as part of their attempts to advance the pursuits of the members of the Lansing Board of Education they will honor the career achievements of Lansing High School graduates Dr. Alfred Hershey, winner of the 1969 Nobel Prize in Medicine and graduate of Lansing High School, Vito Perrone graduate of Eastern High School, Dean Z. Look graduate of Everett High School, and posthumous award winner Pauline McGurrin graduate of Sexton High School. They will be feted at a L.E.A.F. (Lansing Educational Advancement Foundation) dinner held on September 29, 1992 at 6:30 in the Holiday Inn South Ballroom. Tickets are available through the School district.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Z-19-92 1222 E. Michigan Ave. to be rezoned from "A", "D-1", "DM-3", "F", "F-1", and "J" Districts to "F-1" District by Sparrow Hospital of 1215 E. Michigan Ave. for facility expansion and development of Ambulatory Care Center

**REFERRED TO THE MAYOR AND
THE PLANNING BOARD**

B. Notice from the Michigan Department of Natural Resources of a permit to construct in the 100 year floodplain of the Red Cedar River issued to the Lansing Parks and Recreation Department for Potter Park Zoo

RECEIVED AND PLACED ON FILE

C. Notice from the Michigan Department of Natural Resources of a permit to construct in the 100 year floodplain of the Grand River issued to Kristina & Neal Barncard of 120 W. Willow St.

REFERRED TO THE MAYOR

D. Notice from the Michigan Department of Natural Resources of a permit to construct in the Grand River Floodplain issued to James Crawford of 3424 Karen Dr.

REFERRED TO THE MAYOR

E. Lansing School District "Schools in Review" publication

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane read his letter #1, appointment of the Advisory Committee on the future of the Board of Water & Light,

September 14, 1992

Council President James A. Crawford
and City Council Members
10th Floor City Hall
Lansing, MI 48933

Council President Crawford and Council Members:

As you are aware, the City of Lansing has been approached by UtiliCorp United Inc. (UtiliCorp) regarding the possible sale of Lansing's Board of Water and Light (BWL). This is a matter of enormous significance, both today and for the future of Lansing and its citizens. As such, it must be thoroughly reviewed and all its implications considered and understood before any decisions are made. In order to accomplish this task I am appointing an advisory committee comprised of representatives of City Council, BWL and civic leaders to make this review and report to me with their recommendations. I have enclosed a Mission Statement which sets forth more fully the responsibilities I am asking the Committee to undertake. The advisory committee will be known as the Mayor's Advisory Committee on the Future of the Board of Water and Light.

The Committee members are as follows:

Lucile E. Belen
Robert L. Brockwell
Mark H. Canady
Charles M. Creamer, Chairperson
Manuel F. Delgado
Phillip E. Hassler
Mary M. Murphy-Woll
Jack R. Sebolt
R. John Strolle

Since I was first approached by representatives of UtiliCorp a number of months ago, I have given this matter much thought. A sale of the BWL represents a great opportunity. It also represents change and possible risk. However, the potential opportunity is so significant I have concluded that it must be thoroughly reviewed and understood. I am confident that the Committee I have appointed today can make a significant contribution in undertaking that review and providing that understanding. I anxiously await their recommendations.

I am well aware that even the consideration of the sale of the BWL will be a matter on which many of Lansing's citizens will have strong feelings. At the appropriate time in this process, I will make certain that there are public forums where we can receive input from all interested citizens. I would ask that all concerned retain an open mind until all the positives and negatives are analyzed and fully understood. At the same time, I am determined to make certain that the turmoil and uncertainty which inherently surrounds an issue such as this one be limited in scope and duration. I intend that Lansing only go through this process once; that a decision be made, and the matter be concluded in a timely manner. I have

asked Chairperson Creamer to have the Committee's recommendations to me no later than December 15, 1992.

I have also informed Chairperson Creamer that I believe one of the first orders of business should be the retaining of an independent third party expert consultant in the valuation and sale of utility properties to assist the Committee in its efforts. A decision of this magnitude requires that we have the resources available to make the most thorough and informed analysis possible.

I am extremely pleased that these individuals are willing to serve on the Committee. Their review and recommendations are a very critical part of the analysis which must be done and the deliberations which must occur. The entire Lansing community is depending on them to undertake this responsibility on our behalf. I am confident that they will do an outstanding job and we will all make better decisions as a result of their efforts.

Sincerely,
Terry J. McKane, Mayor

MISSION STATEMENT

Mission of the Committee is to assess the overall economic benefits and potential for improving the quality of life of Lansing's citizens from the conversion of the Board of Water and Light (BWL) from a publicly to a privately owned utility. The Committee shall gather all appropriate information necessary to determine whether the City should continue to explore the viability of the potential sale of the BWL to UtiliCorp United, Inc. (UtiliCorp).

To accomplish this mission, the Committee shall consider the following:

1. Whether satisfactory assurances can be obtained that BWL employees and employee benefits can be protected.
2. Whether satisfactory assurances can be obtained that UtiliCorp will submit to continued local control of rates.
3. Whether satisfactory assurances can be obtained that the BWL unions will be recognized and fairly bargained with and that UtiliCorp has a positive record of dealing with its employees, union and non-union.
4. Whether satisfactory assurances can be obtained that UtiliCorp will continue BWL's unique contribution to the Lansing community and its citizens.
5. Any other factors or information that the Committee deems appropriate and necessary.

Upon completion of this process, the Committee shall issue a full written report with all recommendations to the Mayor for his consideration and action.

Mayor McKane introduced Charles Creamer, Chairperson of the Committee and asked him to address the meeting.

Charles Creamer, Senior Vice President of the Michigan Retailers Association and Chairman of the Committee on the future of the Board of Water & Light assured his family that this is not a return to public life on his part, but, an opportunity to work with the Community on an issue of seriousness and importance. He promised to deal with this in a serious and expeditious way. Whatever is decided, it will be what is in the best interests of the citizens of the city. They will provide an informed, well founded

recommendation within the time frame outlined. It would not be fair to the citizens of the city, or to the employees of the Board of Water & Light to drag this out.

Following Mr. Creamer's address, Mayor McKane introduced the remaining members of the committee.

CITY OFFICER AND BOARD REPORTS

A. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmember of the Availability of Minutes from Council Proceedings of September 8, 1992 for Review

RECEIVED AND PLACED ON FILE

B. Letters from the Mayor re:

1/ Appointment of Members of Mayor's Advisory Committee on Future of Board of Water & Light

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ City v Alfred and Shirley Buchner (Zoning Code Violations—2026 N. Grand River Ave.)

RECEIVED AND PLACED ON FILE

3/ Policy of Lansing Police Department Regarding Public Pay Telephones

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4/ Request for Funds to be Carried Forward

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6/ Z-14-92, 5001 N. Grand River Ave. and 3300 Block of Sheffer Ave.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7/ Z-12-92, 5133 S. Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

8/ Z-10-92, North of Regent Street

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

9/ Z-8-92, 515 W. Hillsdale St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

10/ Z-7-92, 3405-3405½ S. Cedar St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

11/ Z-13-92, 500-600 Blocks of American Rd.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

12/ ACT-32-92, Pine Tree Rd., 'Parcel D'

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

13/ Public Improvement IV, Benton Blvd. Sanitary Sewer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #488

BY COUNCILMEMBER SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved the Lansing City Council hereby approves Traffic Control Order Numbers 92-027 and 92-028, which authorize changing parking regulations in the vicinity of the Lansing School District's Partington Center.

By Councilmember Schmidt

To discharge the committee on this item

Carried unanimously

By Councilmember Schmidt

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #489

BY COUNCILMEMBER SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-030, which authorizes changing parking regulations on Grand Avenue from Ionia Street to Shiawassee Street and closing the crosswalk on the north leg of the intersection of Grand Avenue and Ionia Street.

By Councilmember Schmidt

To discharge the committee on this item

Carried unanimously

By Councilmember Schmidt

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #490

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Robert J. Egan to the Human Relations Board for a term to expire June, 1996, is hereby confirmed.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #491

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Roger Serr to the Human Resources Board for a term to expire June, 1996, is hereby confirmed.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #492

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 917 Hickory Street, legally described as:

3301 15 352 161

Lot 34, Block 3, Lansing Improvement Company's Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 8, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution September 14, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #493

COMMITTEE ON WAYS AND MEANS

WHEREAS the City of Lansing received in 1991 a Michigan Equity Grant in the amount of \$349,153 to be used for various projects specified in the grant agreement between the State of Michigan and the City, and

WHEREAS Project #13, Grand River Tower Site Improvements, was completed under budget, resulting in unexpended funds in the total amount of \$6,368, and

WHEREAS the City desires to reallocate \$6,378, the unexpended funds, in support of Project #3, Cooley Gardens/Scott House Improvements, to cover in part higher than expected costs associated with that project,

NOW THEREFORE BE IT RESOLVED, that the Administration is hereby directed to request the State of Michigan that \$6,378 in unspent 1991 Michigan Equity Grant Funds, left over from a project completed under budget, be reallocated to support completion of Project #3, Cooley Gardens/Scott House Improvements.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #494

BY COMMITTEE ON WAYS AND MEANS 9/14/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$36,800.00 from Gen. Fd.—Fd. Bal.

A/C 101-000000-390001-00000

36,800.00 to Parks & Rec.—Potter Park

Zoo Contribution

A/C 101-173840-991509-00000

(Additional subsidy necessary due to difference between FY 92 actual revenues vs. expenditures, encumbrances, and carry forwards.)

\$16,944.96 from Potter Park Zoo Fund—

Estimated Revenues

A/C 509-000000-170001-00000

16,944.96 to Potter Park Zoo Fund—

Budget Control

A/C 509-783835-992200 00000

(Net proceeds of Potter Park parking fees earmarked for Potter Park capital improvements, per City Council policy.

This represents net proceeds above original appropriation of \$58,750. To memo account 509-783835-970000-0)

Submitted by: Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Brockwell

Carried unanimously

RESOLUTION #495

BY COUNCILMEMBER BROCKWELL

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Colonial Townhouse Cooperative, a non-profit low-income cooperative, has been working with Councilmember Benavides and the City Planning Division to acquire and demolish a dilapidated residential structure located at 2613 Hillcrest for the

purpose of providing needed parking for townhouse residents: and

WHEREAS, Colonial Townhouse Cooperative has just recently acquired the structure at a cost of \$7,500: and

WHEREAS, the City of Lansing has offered funding through the Community Development Block Grant Program to demolish this structure and to provide financial assistance in paying for the cost of paving and landscaping: and

WHEREAS, in order to now proceed with the installation of a parking lot a Special Land Use application must be submitted.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby waives the \$400 fee for review of the Special Land Use application submitted by Colonial Townhouse Cooperative.

September 14, 1992

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell a letter from Frank J. Kelley, Attorney General, State of Michigan approving the ballot language for the initiative petition to limit the terms of elected city officials

RECEIVED AND PLACED ON FILE

2/ From Councilmember Brockwell a resolution waiving the fees for application of a special land use at 2613 Hillcrest by Colonial Townhouses

HANDLED AS RESOLUTION #495

3/ From Councilmember Brockwell application for special land use SLU-15-92 submitted by Colonial Townhouses of 2202 Wadsworth

REFERRED TO THE MAYOR AND THE PLANNING BOARD

REMARKS BY THE MAYOR

Mayor McKane announced that this Wednesday at Riverfront Park the North Lansing Association will hold the opening ceremony for the Hispanic Heritage Festival. Thursday the City Council will meet with members of Lansing 2000 to discuss the Lansing Center. Friday at 1:30 is the ceremony dedicating the Viet Nam war memorial. Next week the Board of Water and Light will be dynamiting another municipal well. This procedure has been used since 1941 to remove mineral deposits that form on the well bore. Any questions about the dynamiting process should be directed to the Community Relations Director of the Board of Water and Light at 371-6730.

REMARKS BY COUNCILMEMBERS

Councilmember Canady thanked Mayor McKane for appointing him to the Committee on the Future of the Board of Water and Light.

He said that when he ran for City Council, he promised that he would not make knee jerk reactions, that he would take a careful look at all issues. All of council should do the same thing. Regarding the Committee's mission statement the main 4 objectives are #1 that the employees of the Board of Water and Light will receive the protection of Utilicorp, #2 that the rates will be locally controlled, #3 that the unions will be fairly dealt with, and #4 that the company will continue the Board of Water & Light's commitments to the citizens of the city. He assured those present to speak regarding this issue that the Committee will go into this with an open mind, and if these 4 conditions can not be met they will not entertain any idea of selling the Board.

Councilmember Schmidt said that there is fine representation on the Committee on the Future of the Board of Water & Light, however, she is not interested in any negotiations on the sale of the Board. She may not be open minded, but she will not agree to the sale of the Board of Water & Light and she suspects that this is why she was not appointed to the committee. She reported a call she received regarding a boarded up house at 933 RG Curtiss St. that is in very bad repair, and asked Mayor McKane for assistance.

Councilmember Beal said that she has always had very positive feelings about the Board. She does have questions about the operations of it, but, she does not think that 60% of the voting public will vote to sell it. The committee should use this opportunity to look at the questions that have been raised and make sure the Board is being run as efficiently as possible. One question is cost-over runs on specific projects, such as the investment in the Bell River Plant. She stated her concern over the subsidy by inter city customers of suburban users and said that their rates should be scrutinized. She said that most of the comments she has heard, outside of Council Chambers, are that people do not support the sale, but it should be looked at to make sure what the best choice is.

Councilmember Belen said that she will try to do a good job for the committee. She will have an open mind and a lot of questions to ask. Questions about what will happen to the water and steam systems. She does not think that anyone believes the Board of Water & Light will be sold. Most of the feedback has been that the Board should not be sold.

Councilmember Brockwell thanked Mayor McKane for asking him to serve on this committee. This will not be an easy decision, but it is one that has to be made. He feels the membership of the committee is excellent. He said that he received a complaint from the Downtown Optimist Club about something that happened at Riverfest. They paid for a special permit from Capital City Riverfest to sell hot dogs at the event. They lost business to a hot dog vendor on the corner of Grand Ave. and Michigan Ave. who did not obtain a permit from Riverfest. He asked the Mayor to look into this situation. He informed Mr. Teets that in all cases where someone is evicted from their rented home there are very good reasons for it. In a lot of these cases the people are put in hotels at no charge to the city. He agreed that in some cases people should be given more notice that the boarding of their home will be taking place.

Council President Crawford said that Council has agreed to listen to the proposal for the sale of the Board of Water & Light. There is no offer to purchase the Board, and there may never be an offer, but it is their responsibility to listen. This could be the impetus that the Board needs to make it run better. They have only agreed to listen. He commended the Mayor on the appointments to the

Committee, the nays out stack the maybe's, but it will be a good committee.

CITIZENS MAY COMMENT

Max Zemer of 527 Edison, Business Manager of IBPEW Local #352 of the Board of Water & Light, speaking on behalf of the present and past employees of the Board, said they have built this company into the \$400,000,000 asset that it is today. They exhibit pride and work ethics that say they are proud to serve their customers. Their goal to provide reliable service to their customers is reflected in their 94% customer satisfaction rating. He stated their opposition to the sale, and said that Council has an ethical responsibility to the citizens of Lansing not to sell the Board.

Sandra Shaffley of 918 McKim said that Council should not even consider this proposal. They should tell the company they are not interested at all. Everyone knows that if the Board is sold for a lot of money the money will be spent, and not necessarily the way the people want it spent. The money will be gone and no services will be provided in lieu of it. She worked for a company for 29 years and 10 months. Last spring she was terminated with no notice. She advised Council to look beyond the promises being made.

Lloyd Teets of 116 E. Elm said he asked last week to be appointed to this committee, but, he was not. He described the proposal as all smoke and mirrors. The committee will not recommend the sale of Board. He warned that next week Council will approve a 25 million dollar expansion of the Lansing Center. He said the Board is broke, and does need to be fixed. Two years ago he brought up the fact that the residents of the city were not getting a fair return on equity, and were giving the suburbs a free ride.

Marilyn Shapiro of 223 N. Foster said that the Board of Water & Light works well for the city. If they sold it, they would get a one time infusion of cash that would be gone in the wink of an eye. If the city needs more money, it should look at selling unnecessary assets like the cars of the Mayor and Department Heads. Do not mess with the Board, she warned.

Dennis Martin of 708 Fenton said that selling the Board would put it in the hands of people who do not care about the residents of the City of Lansing the way the Board does. Board of Water & Light warned them recently when their water supply had been contaminated. As the father of a very young baby girl he appreciated that warning. It may have saved his daughter's life. Maybe change is needed, but the sale of the Board is not.

Richard Collins of 225 Moores River Drive, a member of Citizens for a Better Lansing said that they turned in a list of 6 people they would have liked to see appointed to this committee. He volunteered the services of these 6 to the committee and said he would provide them with names and phone numbers.

Mark Hammond of 3830 S. Waverly said he is an employee of the Board. He said the morale among employees has been badly affected by the proposal for the sale. Why, he asked, after 100 years should there be a sale of the Board? This is throwing good money after bad. The public will turn this down at the polls and all of this money will have been wasted. He accused the City of using the Board to pay for their debts.

Ken Vaughan of 114 Garden St. said that although he is relatively new to the city he can see that the attitudes of the people regarding

the sale of the Board are the same as what is being said here tonight.

Tom Toohey of 2017 Harding Ave, Communication Director of a non-profit organization called TCN (The Children's Network) solicited Council's help in building self esteem and computer literacy in children by helping to let them know of the presence of TCN.

Douglas Fairbanks of 107 May St. complimented Mayor McKane for his appointments to the Committee on the Future of the Board of Water & Light, but said he wished Councilmembers Beal and Schmidt were on it. He said the results of a sale of the Board would be disastrous.

Ruth Peoples, no address listed, said she is tired of people coming down here and bad mouthing Councilmembers and the Mayor. They do an excellent job.

Jim Hooker of 835 Denison said that last winter there were rumors at the Board of Water & Light that there was a possibility that they might be sold. Why has this come out in the last two years? Who is pushing this? Is the Council so out of touch with its constituents that they don't know that they will not approve the sale of the Board of Water & Light?

ADJOURNED 8:30 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

322

Proceedings, September 21, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
September 21, 1992

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Crawford

PRESENT: Councilmembers Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Beal (arrived 7:10)

The Invocation and Pledge of Allegiance were led by Councilmember Ford

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of July 20, July 27, August 3, August 10, August 17, August 24, and August 31, 1992

Carried unanimously -

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1 / From Councilmember Schmidt a memo from the City Attorney's Office regarding parking violations of animal control officers

2 / From Councilmember Schmidt a letter from Delores Chandler of 6202 Beechfield regarding tall grass and weeds in a field next door to her

3 / From Councilmember Ford a request from Tymiika A. Parkinson of 612 W. Barnes Ave. for installation of a stop sign on W. Barnes Avenue between S. Washington Ave. and Dr. Martin Luther King, Jr. Blvd./Logan St.

4 / From Councilmember Benavides a letter from James Wresinski of 2618 Hillcrest St. regarding traffic control problems on Pleasant Grove Rd.

5 / From Councilmember Benavides a letter from Bob Lynck of 3342 Grantsburg Drive regarding violence and drug related problems in his neighborhood

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 East Elm Street spoke regarding the resolution on tonight's agenda waiving fees for the rezoning application for

Civic Center property. He asked why the city should have to rezone this property when it is in conformance with the zoning laws according to its' current usage. The prospective purchaser of this property has enough money to pay these fees. If he does not have the money for the fees, how will he come up with the money to buy the property? This is a political favor to the purchaser. Councilmember Canady responded that at the time this sale agreement was made it was understood that the property would be put to certain uses. If we do not rezone the parcel, we will be in violation of the terms of the agreement for sale of the property. Councilmember Benavides said this is a fairly standard practice. This is not the first time the city has done something like this. The Mayor has the authority to initiate this type of rezoning.

Harold Leeman of 529 N. Francis asked if the resolution on the sale of Fairview Park was being pulled from tonight's agenda. Council President Crawford answered yes. Mr. Leeman turned his attention to the Committee Report regarding the transfer of jurisdiction of Kalamazoo Street and asked Council to hold this item for discussion. He asked who would be paying for the public improvements to the alley off of Pere Marquette.

Paul Novak, President of the West Side Neighborhood Association spoke in support of the order for make-safe or Demolish for property located at 1100 W. Ionia. WSNA has targeted this area for rehabilitation.

Mary James of 303 N. Jenison spoke in support of the order for make-safe or demolish on property located at 1100 W. Ionia. This property has been a problem for 7½ years.

Carol Graw of 1608 W. Shiawassee said she drives by 1100 W. Ionia daily. She does not believe in demolition of property, but this is not even a house. It is just barely a structure and it is not worth saving.

SPECIAL CEREMONIES

A. Mayor McKane introduced and presented a proclamation proclaiming the week of September 20 through September 26 as National Adult Day Care Center Week to the Vice President of Hilltoppers Adult Day Care Program.

B. Mayor McKane presented the Financial Reporting Achievement Award given yearly by the Government Finance Officers Association to Steve Duarte and congratulated him on winning this award for several years running. Mr. Duarte thanked Mayor McKane and Council for their support, and the members of his staff.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Z-18-92, 1100-1106 West Ionia, request for rezoning from "B" Residential to "D-2" District from Fred Johnson of 2572 W. Mt. Hope, Okemos

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Letter from Ingham County/City of Lansing Community Corrections Advisory Board requesting approval for an Addendum to the Application for Community Corrections Act Funds

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SAFETY

C. SLU-16-92, 224 W. North St. request for special land use filed by Lansing Teen Challenge of 430 Pearl to allow for the development of a Residential Care Facility to house 8-10 students

REFERRED TO THE MAYOR AND THE PLANNING BOARD

D. Letter from the Ingham Intermediate School District submitting the 1992 Winter Tax Certification

REFERRED TO THE MAYOR

E. Special Edition of "PRIME TIMES", a publication by the Tri-County Office on Aging alerting Senior Citizens to changes in services

RECEIVED AND PLACED ON FILE

F. Notice from the Department of Natural Resources of application for a permit to construct in the Red Cedar River filed by the City of Lansing Parks and Recreation Department for Potter Park construction project

RECEIVED AND PLACED ON FILE

G. Claim Appeal of Fred W. Haller of 922 Mahlon St

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

H. Rezoning Petition, Two block area bounded by Allegan Washtenaw, Pine and Walnut Streets, to rezone from "DM-3" and "F" District to "G-1" Business District filed by the City of Lansing to facilitate the sale of property agreement between Heart of the City Associates and the City of Lansing

REFERRED TO THE MAYOR AND THE PLANNING BOARD

MAYOR MAY COMMENT

Mayor McKane outlined his letters on tonight's agenda

At the request of Councilmember Schmidt, City Clerk Blair read the following letter of resignation from John N. Weis from the Traffic Board

September 9, 1992

Honorable Terry J. McKane
Mayor, City of Lansing
Lansing City Hall Lansing, MI 48933

Dear Mr. Mayor,

It is with regret that I submit my resignation as a member of the Traffic Board for the City of Lansing.

As you know, I will be assuming a position with the Board of Police Commissioners. This resignation will make it possible for another to enjoy the rewards of participation in Traffic Board activities.

Let me, first, thank you for giving me the opportunity to serve with

some of the finest individuals I've known as a member of the Traffic Board. Secondly, let me state to you what I have said many times at Board meetings: Dave Berridge and his staff do an outstanding job. Their talents and expertise make it possible to travel throughout the city safely and with a minimum of traffic flow delays or inconveniences.

Anyone who doubts this need only drive around in East Lansing for awhile.

Finally, I appreciate your confidence in me in naming me to my new position. I look forward to that with great enthusiasm and to meeting more fine civic volunteers and capable staff members.

Thank you.

Sincerely,
John N. Weis
JNW:SWS

CITY OFFICER AND BOARD REPORTS

A. RESOLUTION #496

September 21, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Sammy's Restaurant Inc.
SECOND HAND DEALER: Good Deal's Resale Shop
SIGN ERECTOR: Earl Daup Sings, Ltd.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmember of the Availability of Minutes from Council Proceedings of September 14, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting a letter of approval from Governor John Engler for a Charter Amendment—Chapter 1, Article 2 of the Lansing City Charter

RECEIVED AND PLACED ON FILE

3. Letter from the City Clerk submitting letter of thanks from Richard G. Austin, Secretary of State for the donation of equipment used in a statewide voter education program

RECEIVED AND PLACED ON FILE

4. Letter from the City Clerk submitting Outside Auditor Reports on the Board of Water & Light and Outside Auditor's Report on the Plan for Employees' Pensions of the Board of Water & Light for Fiscal Years ended June 30, 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. Letter from the City Clerk submitting Financial Statements, additional information and Outside Auditor's Report for the Greater Lansing Convention/Exhibition Authority for years ended June 30, 1992, and 1991, along with their letter report on special project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. Letters from the Mayor re:

1/ Appointment of Robert Brown, Jr. to Fire Board of Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2/ Resignation of John N. Weis from Traffic Board

RECEIVED AND PLACED ON FILE

3/ Resolution for Extension of Sewer Service in Lansing Township at 3333 Waverly Hills Road and 2504-06 Lake Lansing Road

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4/ 1993 State Equity Funds—Request for Suggestions

RECEIVED AND PLACED ON FILE

5/ Z-15-92, 229 N. Pine St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #497

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Mayor's recommendation to reject the proposed change in jurisdiction of a section of East Kalamazoo Street from the Ingham County Road Commission to the City,

REPORTS AS FOLLOWS: The Committee concurs with the Mayor's recommendation to reject the Road Commission's proposal that the City take over jurisdiction of the segment of Kalamazoo Street from Clippert to the bridge over the Red Cedar River. The Committee further recommends that the Clerk be directed to transmit the Mayor's concerns with this report to the Ingham County Road Commission as rationale for the rejection.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #498

PUBLIC IMPROVEMENT IV

By Committee on Physical Development

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the special assessment roll #324 for the sanitary sewer in Benton Boulevard;

PROPERTY BENEFITTED:

All lands fronting on Benton Boulevard between Delta River Drive and Wilson Avenue excepting all public streets and alleys and other land deemed not benefitted.

as returned by the City Assessor be ratified and confirmed, and the Mayor be directed to affix within ten days his warrant directing the City Treasurer to collect said tax on or before the 21st day of December, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #499

ACT-32-92

PINE TREE ROAD—'PARCEL 'D'

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS the Stockwell Real Estate Group has requested to trade certain parcels of land with the City of Lansing to improve the development and function of land uses; and

WHEREAS the proposed land exchanges include the following:

Phase #1

The City of Lansing to convey to Stockwell Real Estate Group, Inc., or its assignee, a strip of land 50 feet by 1,500.11 feet (75,005 square feet). In exchange, Stockwell Real Estate Group, Inc. to convey in fee to the City of Lansing two 66 feet by 242 feet strips for roadway use. These strips, contain 31,900 square feet. The strips would be subject to a 20 feet wide easement for storm drain. It should be noted that the 20 feet wide easement for storm drain is proposed for drainage of the proposed plat and not for the 38 acres. There can be a separate easement across lot 9 or 10 to provide drainage access from the 38 acres to Banta Drain. Also, the 66 feet wide strips would be subject to access easements from the abutting lots for future driveway purposes. It should be made clear that Stockwell Real Estate Group, Inc. or the abutting lot owner would not be responsible for construction costs of a street on these 66 feet wide access strips.

Phase #2

The City of Lansing to convey to Stockwell Real Estate Group, Inc., or its assignee, its present 100 feet of access by 242 feet (24,200 square feet). In exchange, Stockwell Real Estate Group, Inc. would convey to the City of Lansing the easterly 285 feet of proposed lot 10 containing 67,250 square feet. For the most part, this area is well above the drain and would provide for an additional lot in any development of the City's parcel. Also, conveyance of the center position of proposed lot 10 could be conveyed to the City subject to an easement over the entire 46,000 square feet for water retention purposes. This would allow a future developer of the City's parcel to expand the retention basing to service the total 48.5 acres.

WHEREAS the Lansing Planning Board has reviewed this request under the provisions of ACT 285 of Michigan Public Acts of 1931, as amended, and unanimously recommended the City exchange parcels of land as requested by the Stockwell Group. It also is recommended that City Council hold a public hearing on this proposal, and require final legal descriptions for the parcels from the Stockwell Group.

WHEREAS the Committee on Physical Development has reviewed the recommendations of the Planning Board and concurs with their recommendations; and

NOW THEREFORE BE IT RESOLVED that the City Council will hold a public hearing on the proposed land exchange with the Stockwell Group on Monday, October 5, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #500

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, property owners in the vicinity of the alley between Pere Marquette Street and North Larch Street have requested paving and lighting to the alley north of Michigan Avenue to encourage economic development; and

WHEREAS, these improvements will require easements from three adjacent property owners; and

WHEREAS, the Mayor has committed to assist private property owners with the private redevelopment of this area which the improvements to the Pere Marquette Alley will encourage;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby concurs with the recommendation of the Mayor and accepts the following easements from H/G, Inc., Samco Land Company, Joseph and Helen Covello for the improvements on Pere Marquette Alley and across the following described land:

1. Permanent easement from H/G, Inc. described as:
The South 3 feet, more or less, (beginning at and including the South face of the existing building) of the parcel beginning at the Southeast corner of Lot No. 33 of the Assessor's Plat No. 36, Block 243, Original Plat on the East ½ of the Northeast ¼, Section 16, T4N, R2W, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 11 of Plats, Page 18, said Ingham County Records, thence North 64.10 feet to center of wall, thence West along center of wall, 172.00 feet to the West line of said Lot 33, thence South 63.58 feet to the South line of said Lot 33, thence East 172.00 feet to place of beginning.

2. Permanent easement from Samco Land Company described as:
The North 10 feet of the East 3-½ feet, more or less, (including the North face of the existing building) of the East 22 feet of the West 288 feet of the South 100 feet of Lot No. 7 of Block 243, City of Lansing, Ingham County, Michigan, now known as Lot No. 7 of Block 243, City of Lansing, Ingham County, Michigan, now known as Lot No. 32 of Assessor's Plat No. 36, City of Lansing, Ingham County, Michigan;

Together with a permanent right of way over a strip of land adjoining said premises on the Easterly side thereof, said strip being 5.04 feet, more or less, in width (East and West) and extending the entire length (North and South) of said premises.

3. Permanent easement from Joseph and Helen Covello described as:

The South 1 foot (beginning at and including the South face of the existing building) of Lot No. 18 and 19 of Assessor's Plat No. 36 of Block 243 of the Original Plat of said City of Lansing, Ingham County, Michigan.

BE IT FINALLY RESOLVED that the one dollar required to secure each of these three easements is budgeted in account #252-

932664-970000-16000.

By Councilmember Canady

Carried unanimously

Item XII A-4 was pulled from the agenda at the request of Councilmember Canady

RESOLUTION #501

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of Planning and Municipal Development has initiated, on behalf of this Council, a rezoning petition for the two-block area bounded by West Allegan, South Pine, West Washtenaw, and South Walnut Streets, currently occupied by the Lansing Civic Center and its parking lot; and

WHEREAS, the rezoning will consolidate the land use designation as "G-1" Business District in conformance with the City's sale agreement for the property with Heart of the City Associates; and

WHEREAS, this Council must take action to waive the petition application fee of \$650.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby waives the petition application fee of \$650.00 for the above-described rezoning petition.

Sep. 21, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #502

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1100 West Ionia, legally described as:

3301 17 255 122

E 68 ft. of S 4 R Lot 1, Block 1, French's Sub

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 8, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution September 21, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #503

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Regional Chamber of Commerce is sponsoring the fifth annual Business Trade Fair on October 27, 1992, at the Lansing Center; and

WHEREAS, this event, which runs from noon through 8 PM, is designed to promote local business enterprises, meet prospective customers, advertise products and services, and develop business networks throughout mid-Michigan; and

WHEREAS, the Business Trade Fair will involve more than 200 industrial, commercial, and sole-proprietorship businesses displaying their products and services to more than 4,000 attendees; and

WHEREAS, the City Council supports efforts to promote Lansing businesses, products and services to help improve the economy while retaining and creating jobs for our people;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 21st day of September, 1992, hereby commends the Lansing Regional Chamber of Commerce for sponsoring the Business Trade Fair at the Lansing Center on October 27, 1992.

Sept. 21, 1992

By Councilmember Canady

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinances of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan,

and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-7-92—3405-3405½ South Cedar Street to be rezoned from "A" Residential District to "F" Commercial District

Z-8-92—515 West Hillsdale Street to be rezoned from "DM-4" Residential District to "D-1" Professional Office District

Z-10-92—North of 131 Regent Street to be rezoned from "J" Parking District to "DM-3" Residential District

were introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #504

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 12, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the following ordinances for rezoning:

Z-7-92—3405-3405½ South Cedar Street to be rezoned from "A" Residential District to "F" Commercial District

Z-8-92—515 West Hillsdale Street to be rezoned from "DM-4" Residential District to "D-1" Professional Office District

Z-10-92—North of 131 Regent Street to be rezoned from "J" Parking District to "DM-3" Residential District

Carried unanimously

The following ordinances of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-12-92—5133 South Dr. Martin Luther King Jr., Blvd./Logan Street from "D-1" Professional Office District to "F" Commercial District

Z-13-92—500-600 Blocks of American Road (west side) from "D-1" Professional Office District to "F" Commercial District

Z-14-92—5001 North Grand River Avenue and 3300 Block Sheffer Avenue (west side) from "A" Residential District, "E-2" Local Shopping District, and "J" Parking District to "F" Commercial District

were introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #505

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 19, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the following ordinances for rezoning:

Z-12-92—5133 South Dr. Martin Luther King Jr., Blvd./Logan Street from "D-1" Professional Office District to "F" Commercial District.

Z-13-92—500-600 Blocks of American Road (west side) from "D-1" Professional Office District to "F" Commercial District.

Z-14-92—5001 North Grand River Avenue and 3300 Block Sheffer Avenue (west side) from "A" Residential District, "E-2" Local Shopping District, and "J" Parking District to "F" Commercial District.

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt a memo from the City Attorney's Office regarding parking violations of animal control officers

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

2/ From Councilmember Schmidt a letter from Delores Chandler of 6202 Beechfield regarding tall grass and weeds in a field next door to her

REFERRED TO THE MAYOR

3/ From Councilmember Ford request from Tymiika A. Parkinson of 612 W. Barnes Ave. for installation of a stop sign on W. Barnes Avenue between S. Washington Ave. and Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

4/ From Councilmember Benavides a letter from James Wresinski of 2618 Hillcrest St. regarding traffic control problems on Pleasant Grove Rd.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

5/ From Councilmember Benavides a letter from Bob Lynck of 3342 Grantsburg Drive regarding violence and drug related problems in his neighborhood

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

REMARKS BY THE MAYOR

Mayor McKane announced the opening of Clare St. as of Friday, September 25, 1992. Clare Street has been closed due to construction on the Combined Sewer Overflow Project. Olds Avenue will be closed from Monday, September 28, 1992 until Monday, November 2, 1992 because of the CSO project. Lyons Avenue from Mt. Hope to Isbell will be closed until this Friday, October 25, 1992. The Recycling "Hot Line" number is out of order, but should be repaired by tomorrow.

REMARKS BY COUNCILMEMBERS

Councilmember Canady said that beginning tomorrow, September 22, 1992 the Ingham County Board of Commissioners will be meeting in Council chambers and cablecasting live for the first time. If the arrangement works out, they will continue to meet in Council Chambers on the 2nd and 4th Tuesdays of every month for the next 13 months.

Councilmember Brockwell wished good luck to the Apple Sports softball team. They will be representing the State of Michigan and the City of Lansing in the National Championship in Nashville, Tennessee this weekend.

Councilmember Beal said she still wants a moratorium on demolition of private property. She said there are discrepancies in the way these demolitions are handled and the City needs to establish a policy that will protect neighborhoods and be fair to the people who are justly trying to demolish their property.

Councilmember Ford commended the Downtown Neighborhood Association and the Genesee Neighborhood Association for purchasing and renovating homes in their areas. They have played a key part in the revitalization of this area. They have done an excellent job. He thanked them for their efforts and for the Open House they held on Sunday.

Councilmember Schmidt said that the demolition of private property is a two sided issue. In some cases neighborhoods have waited up to ten years to have houses demolished, in others, private demolition is being done on houses that are in beautiful condition. Each property must be looked at separately and dealt with based on its' own merits. She thanked the Mayor's Office for their help with the Bradford St. problem. She said that the corner of Baker and South Pennsylvania, which is under construction by Consumers Power Company, is very muddy. School Children have to walk right through the mud to get to school and back. She has suggested that they put some of their pallets down to help keep them out of the mud, but they apparently need the request to come from the Mayor's Office, or Council.

Council President Crawford welcomed Councilmember Benavides back.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. said that he has succeeded in procuring legal help to have Council investigated. He made personal remarks regarding Councilmember Schmidt and was cautioned by Council President Crawford to address his remarks to Council as a whole.

Douglas Fairbanks of 107 May St. welcomed Councilmember Benavides back. He said he approves of an expansion of the Lansing Center. We will need room for 4,000 to 5,000 more people there on November 3rd. He suggested a theater at the Center.

Earl T. Pauley, Jr. of 601 N. Cedar St. addressed his remarks to Councilmember Brockwell regarding the potential of a demolition at 808 N. Cedar St. What is the status of this property? Councilmember Brockwell informed him that the owner of this property lives in Texas, and as long as they maintain the property the Building Department can not do anything about a demolition. Mr. Pauley said this house is used for drug sales in the late hours. He said that Councilmember Ford must do something to change the speed limit on Dr. Martin Luther King, Jr. Blvd./Logan St. Last week he saw a little boy almost killed by a car.

Paul Novak of 1519 E. Kalamazoo, President of the West Side Neighborhood Association said they would like to see a Community Policing Officer established at Kingsley Community Center like the one that is at Cristo Rey. In the last 6 months they have held crime meetings on a monthly basis. They have experienced situations where police response time is between 30 to 45 minutes even when it has been indicated that the call involves a violent situation. Senior women in their neighborhood are being terrorized. They have organized neighborhood watches, had monthly meetings with the Police Department, planned rehabilitation of their neighborhood, held paint blitzes and clean ups. Please

help them by assigning a Community Policing Officer.

Jackie Porter Bradford of the West Side Neighborhood Association said she realizes that they do not have enough crime in their neighborhood to qualify for Community Policing Officers. However they are very concerned about the amount of drug trafficking especially at the Kingsley Center. Every Tuesday they hold a Crime Committee meeting there.

Richard Collins of 225 Moores River Drive spoke regarding the sale of the Board of Water and Light. He challenged the statements of Mayor McKane and Councilmember Canady that there would be a property tax cut if the sale went through. He did a comparison of the potential utility rate increases versus possible property tax cuts. He based the potential increase on Utilicorp receiving a fair market return of 9 to 12%. In higher income categories (higher SEV) people would see a positive effect, however, in lower income cases, people would actually realize a higher expense.

June Billit of 1323 W. Lenawee asked for a Community Policing Officer for the WSNA area. If they cannot get a grant for the Community Policing Officer, how about getting a district officer over there? She asked the people from WSNA that came in support of this request to stand. Fifteen people stood. She said she had a copy of the roster of on duty Police Officers from last Thursday night and only 35 officers were on duty that night. This is not enough, you cannot protect the city with only 35 duty officers. Please put more police on duty.

Lloyd Teets of 116 E. Elm St. told this neighborhood group that the city cannot afford a Community Policing Officer for their neighborhood because of the \$25,000,000 they are spending on the expansion of the Lansing Center. He said his neighborhood was scheduled for a Community Policing Officer, but did not get one because it was given to Councilmember Brockwell's neighborhood. He said that the expansion of the Lansing Center was supposed to be discussed tonight, but it will be discussed at the Committee of the Whole meeting next Thursday. He accused Council of not wanting to pass the resolution approving the expansion at a regular meeting. He said the City spends all its' money on the downtown area and ignores the outlying areas. The function of Government, he said, is to provide police and fire protection.

Laurie Pullen of 1315 W. Lenawee said the WSNA needs a Community Policing Officer. The response time for ambulances is faster than that for Police Officers. She asked for help for her neighborhood.

Paul Wakeman, property owner in the Cherry Hill neighborhood thanked the Mayor and Council for their participation with the LASER Program (Lansing Area Sentencing Enhancement and Rehabilitation). He stated his appreciation of the Mayor and Council's concern for and efforts on behalf of Lansing neighborhoods.

Margaret Taylor of 119 Huron asked why there are so many bike riders out on city streets between the hours of 3:00 and 4:00 A.M. It is unwholesome and the City should have an ordinance against this.

Tom Shields of 1118 Riley Street asked if the City could eliminate the parking attendant at Potters Park after Labor Day to save

money. We are paying a parking attendant more than we are collecting in parking fees. He asked if any Councilmembers had been in the park in the last couple of weeks, and what they saw in terms of attendance. Councilmember Beal said that she was in Potter Park over Labor Day Weekend and witnessed several people on the trail and canoeing in the river. However, she agreed with Mr. Shields, that between Labor Day and Memorial Day the guard could be eliminated, saving the City money.

Max Zemer of 527 Edison, Business Manager of IBPEW Local #352 of the Board of Water and Light said that he attended tonight to reinforce the claims made last week regarding the sale of the Board of Water & Light. If Council votes to sell the Board, they will be voted out of office.

Ethel Jackson of 1215 W. Kalamazoo spoke regarding the problems with the Kingsley Center. She said that kids have no respect for the elderly. They are afraid of the kids in this neighborhood and need more police protection.

Helen LeBlanc of 2021 Cumberland speaking on behalf of the Sierra Club stated their opposition to the sale of the Board of Water & Light. They favor the approach of meeting new energy needs through conservation, and because of this they believe the City should control the Board of Water & Light.

Gladys Gillison of 223 W. Barnes asked what the City would do with the proceeds from the sale of the Board of Water & Light. Would they put it into another retirement fund? Finance the expansion of the Lansing Center? Marquette sold their utility company and their rates keep going up. The City cannot write off the Board of Water & Light. If it goes broke like Diamond Reo did, the City will have to buy it back. She asked the people in attendance to protest the sale of the Board to stand. Approximately 20 people stood.

Ruby Thomas of 1314 W. Allegan asked for more police protection in the WSNA area. She said she sat on her porch last Friday night and watched kids vandalize teachers cars. Citizens are frightened of these kids and will not report crime because they are afraid of retaliation. She said drugs are being sold by kids on bikes through the windows of passing cars. Please give them a Community Policing Officer to stop this crime.

Mark Hammond of 3830 S. Waverly said that for Council to consider selling the Board of Water & Light is political suicide. He said there is no point in going on with the negotiations or considering the sale any further. It is a waste of time and money.

Harold Leeman of 529 N. Francis asked for information on the expansion of the Lansing Center. Will this be discussed in the Committee of the Whole on Thursday, or will they have a special meeting? He asked the intention of Council regarding the vote and when the vote will take place? Council President Crawford responded that there will be a special meeting posted for Thursday at 5:00 P.M. If there is an agreement then the vote will take place then. If not, the vote will be on Monday night at the regular meeting. Councilmember Benavides said that any additional information received on the Lansing Center should be addressed at the regular meeting on Monday night. President Crawford disagreed and stated that there will be a special meeting.

ADJOURNED 8:40

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

329

Proceedings, September 28, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
September 28, 1992

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation was led by Councilmember Benavides and the Pledge of Allegiance was led by Boy Scout Troop #137 from Calvary United Methodist Church at 1919 S. Pennsylvania

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a request that the rules be suspended to allow for the presentation of a resolution of tribute to Irinia Lagunina, visiting Russian Journalist

2/ From Councilmember Schmidt a resolution regarding the sale of the Board of Water & Light

3/ From Councilmember Schmidt proposed traffic control order for Dunckel Road

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-15-92, 229 N. Pine request for rezoning from "D-2" Residential/Office District to "D-1" Professional Office District by Michigan Retailers Association

Jim Hallen, President of Michigan Retailers Association spoke in support of this rezoning request saying it has been necessitated by the considerable growth of the company. He stated his availability to answer questions.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm Street spoke in opposition to the resolution approving the Second Amended Development Plan and Second Amended Tax Increment Financing Plan for the Lansing Center. He asked why Council did not schedule a new public hearing on the project. Council plans to finance the Lansing Center renovation through the sale of the Board of Water & Light. The City claims not to have the money for infrastructure repair like street repair, bridge repair, parks police, or community policing officers, but they can find the money for a \$38,000,000 renovation project

for the Lansing Center. He said that buildings that are found to be dangerous or unsafe are torn down if their estimated cost of repair is ½ or more of the assessed value of the structure. We spent \$17,000,000 on the Lansing Center when it was built and now we will spend more than twice that to repair it.

Harold Leeman of 529 N. Francis asked why Council did not schedule another Public Hearing on the Lansing Center renovation. The numbers have gone up from \$25,000,000 to \$38,000,000 which would necessitate a new public hearing. Councilmember Canady responded that tonight's resolution is for only the original \$25,000,000. That is why they did not hold another public hearing. They will proceed by the rules to raise financing for \$13,000,000 for Phase III of the plan. Mr. Leeman questioned the membership of Lansing 2000 and said that members of the group have an out and out conflict with the city and do not represent its' best interests. He asked for an amendment to the resolution so that it includes landscaping.

Carlton D. McConnell of 813 Loa St. spoke in support of the expansion plans for the Lansing Center. He said this will bring in more jobs for local people and will bring more business into Downtown Lansing.

Tom Gaylon, President of the Greater Lansing Convention and Visitors Bureau asked Council for a positive vote on the project. They are trying to go after larger and better meetings for the City. This will bring unlimited potential to the downtown area.

Kevin McKinney of 7028 Eaton Highway spoke on behalf of Lansing 2000, a non-profit organization whose goal is to revitalize the downtown area. They support this resolution on the expansion of the Lansing Center. There is a definite need for expanded convention and business space. Commitment from the public sector and the private sector is there. This will revitalize and rejuvenate restaurant and retail business in the downtown area.

Cora Huguely, Director of the Greater Lansing Convention Authority said that their Board of Directors has always supported this renovation. The Lansing Center has increased its' revenue since their opening year by 101%. By the fifth year following the renovation the center will be self supporting.

By Councilmember Schmidt

To suspend the rules to introduce Richard Chrysler and allow him to address the audience during this portion of the agenda.

Adopted by the following vote:

YEAS: 7

NAYS: 1

Richard Chrysler said it is time for a change in State Government. There could be as many as 150 new congress members this year. We all need to work together and start putting people back to work.

SPECIAL CEREMONIES

A. Mike Spaniole of Superior Distributing was not available to make the presentation to Friends of the River on behalf of the Coors Brewing Company's "Pure Water 2000 Project"

B. Councilmember Brockwell introduced Russian Journalist, Irinia Lagunina and welcomed her to Lansing. She is touring selected cities throughout the United States on a grant from Macalester College. Ms. Lagunina thanked Council for the welcome she received and for the opportunity to visit Lansing. She got the grand tour today and is greatly interested in the revitalization going on in Lansing communities.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Letter from the Ingham County Board of Commissioners regarding a proposal for a joint Video Arraignment Project

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

B. Letter from Walter Neller Enterprises, Inc. protesting the development of a LASER Center in the Cherry Hill Neighborhood

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. Claim Appeal from Paul J. Pavlica of 1210 W. Barnes Ave.

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mr. Boyd commented on Mayor McKane's letter #1, request for a public hearing on October 12, 1992 for make-safe or demolish orders on 1005 Beech St., 1219 W. Kalamazoo, 1111 E. Oakland Ave., 2217 Rheamont Ave., 1121 Cleveland, and 218 Smith Ave.; letter #10, trash violation fees; and letter #13, reappointment of Roy Croop to the Capital Region Airport Authority Board.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #506
September 28, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Michael M. Dean, Pat Nolan

SECOND HAND DEALER: J.W. Services Unlimited Inc.
TRANSFER CLASS C: Clara's Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 21, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting the Lansing Police Department 1991 Annual Report

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

C. Letters from the Mayor re:

1. RESOLUTION #507

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: September 24, 1992

SUBJ: Request for Public Hearing re: 1005 Beech St., 1219 West Kalamazoo, 1111 East Oakland Ave., 2217 Rheamont Ave., 1121 Cleveland, 218 Smith Ave.

The attached request for public hearing regarding make safe/demolition of the above-named properties is submitted with my concurrence for your review and appropriate action.

By Councilmember Schmidt

To accept the recommendations of the Mayor and set a Public Hearing for October 12, 1992

Carried unanimously

2. Traffic Board Meeting Schedule Change

RECEIVED AND PLACED ON FILE

3. SLU-14-92, 1825 Sunset Ave.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4. Z-16-92, 4305-4311 South Cedar St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5. ACT-35-92, 111 E. Willow St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

6. ACT-25-92, 408 W. Kalamazoo St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7. Attendance Report for Extended Hours at Kingsley Community Center

RECEIVED AND PLACED ON FILE

8. Penninsular Products, Inc. (Heatherwood Farms) Economic Impact on City from Plant Closing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

9. Gerald and Georgia Huckaba: 5410 S. Waverly Rd. (Michigan Department of Natural Resources Findings of Contamination)

RECEIVED AND PLACED ON FILE

10. RESOLUTION #508

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: September 24, 1992

SUBJ: Trash Violation Fee (V-25), \$2,109.09

The attached assessment/violation fees for trash removal in the City right-of-way are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

11. Traffic Control Request: Chatham Road and Holly Way

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12. Traffic Control Request: Forest Avenue and Rockford Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13. Reappointment of Roy Croop to Capitol Region Airport Authority Board

REFERRED TO THE COMMITTEE ON
INTERGOVERNMENTAL AFFAIRS

COMMITTEE REPORTS

RESOLUTION #509

BY THE AD HOC COMMITTEE ON EARLY RETIREMENT

REPORTS AS FOLLOWS: The Committee discussed the Administration's concern relative to the position that is vacant in the Wastewater Division of the Public Service Department as a result of certain employees accepting the early retirement option. The Committee also received input from the Public Service Director suggesting that the position is one that should be filled as early as possible.

The Committee recommends, based on the information received, that the Administration be authorized to fill the position of the Field Operations Supervisor 33 within the Wastewater Division. For information only, no action required.

Signed: Mark H. Canady
Tony Benavides
James Crawford
Steve Duarte
Terry McKane

BY COUNCILMEMBER MARK H. CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #510

THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, to whom was referred the letter from the Lansing School District inviting the City Council to begin attending Board of Education meetings to improve communications between the two governmental units,

REPORTS AS FOLLOWS:

The Committee appointed Councilmember Ellen Beal as liaison for the City of Lansing with Councilmember Charles Ford as alternate. For information only, no action is required.

Signed: Ellen Beal
Mark H. Canady
James Crawford

BY COUNCILMEMBER Ellen Beal:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #511

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the report from the Mayor and the Planning Board on rezoning petition Z-15-92, located at 229 North Pine Street,

REPORTS AS FOLLOWS: The Committee recommends that the rezoning be approved and the ordinance be adopted.

By Councilmember Canady:

That the report of the Committee be received.

Carried unanimously

Sept. 28, 1992

RESOLUTIONS

RESOLUTION #512

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jean and Tim Dolfi filed a claim against the City in the amount of \$1,218.36 for repair of damage to their personal vehicle alleged to have been caused when a City dump truck lost part of its load onto the Dolfi car; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee found that the claimants furnished no proof that the City truck caused damage to their vehicle, nor did they respond to questions from the City Attorney's Office, nor did they attend the Committee's meeting on their claim; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Jean and Tim Dolfi; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

Sept. 28, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #513

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Willard K. Walker, representing Kappa Express and the Pop Warner Football League, filed a claim against the City in the amount of \$2,400.00 for replacement of youth football uniforms and equipment disposed of by Parks and Recreation Department staff people without permission from the St. Joe Park Fieldhouse, where the items had been stored; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but recommends partial approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs the City Attorney to make an offer of \$1,200.00 to settle the claim of Willard K. Walker, representing Kappa Express; and

BE IT FURTHER RESOLVED the Mayor is requested to have the Parks and Recreation Department staff develop an agreement with the Pop Warner Football League and Kappa Express on storage of the football uniforms and equipment in a City park facility; and

BE IT FINALLY RESOLVED the Mayor is requested to review and comment on the City Council's policy resolution regarding use of City facilities by outside groups, found on pp 191-192 of the 1981 Council Proceedings.

Sept. 28, 1992

By Councilmember Ford

To excuse Councilmember Canady from the vote on this item

Carried unanimously, Councilmember Canady abstaining

By Councilmember Ford

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Canady abstaining

RESOLUTION #514

BY THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the escalation of medical costs and the inability of significant portions of the community to access medical care are issues of great concern on the national, state, and local levels; and

WHEREAS, there are currently several significant proposed changes in the health care delivery system serving Ingham County, including a major expansion of Sparrow Hospital, and a potential merger between Ingham Medical Center and Lansing General Hospital, which may have significant impact on the costs and availability of health care in this community; and

WHEREAS, in response to these proposed changes, the Ingham County Board of Commissioners has resolved to take the initiative in creating a community planning process to assure that unnecessary and inappropriate health care facilities and services do not occur in the Ingham County community; and

WHEREAS, the Ingham County Board of Commissioners has resolved to work with the Lansing City Council, the four major hospitals, other health providers, major employers in the community, labor unions, representatives of health care consumers, and the County Health Department to create this planning process; and

WHEREAS, the City of Lansing recognizes the need to move expeditiously in addressing the proposals currently being discussed;

THEREFORE BE IT RESOLVED, that the City expresses its support in developing a forum and process for understanding and discussing proposed changes in the health care delivery system serving Ingham County, both now and in the future;

BE IT FURTHER RESOLVED, that the City requests that an initial meeting be set (by the County) as soon as possible to discuss this important issue, involving all of those appropriate interests as identified by the County;

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners and the Mayors of Lansing and East Lansing initiate the invitations to the initial meeting, with the support of the Ingham County Health Department.

September 28, 1992

By Councilmember Beal

Carried unanimously

RESOLUTION #515

BY THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Max D. Shunk to the C.A.T.A. Board for a term to expire September, 1995, is hereby confirmed.

September 28, 1992

By Councilmember Beal

Adopted by the following vote:

YEAS: 7

NAYS: 1

RESOLUTION #516

By the Committee on Physical Development

WHEREAS, the Charter Township of Lansing has requested sanitary sewer service be provided to the following address:

3333 Waverly Hills Road

2504-06 Lake Lansing Road

WHEREAS, it appears to the Township and the City that an extension of such service will be of mutual benefit to both parties.

BE IT RESOLVED that the extension of sewer service to the addresses as indicated here in is hereby approved subject to the following conditions:

1. The Township, shall submit the following data:
 - A. The legal description of the area to be served;
 - B. Anticipated maximum sewage flow;
 - C. The name(s) of the owner(s) of record of all parcels of land located within said area and the name of the developer of said land, if the identity of the developer is known and is not an owner;
2. Prior to the award of any construction contracts or the issuance of required permits, the Township shall submit to the City a "Utility Equity Investment Fee". Said fees are \$4,096.05 per acre and shall be revised on July 1 of each year. Said Utility Equity Investment Fee shall be computed on the basis of the formula and method as determined by the Finance and Public Service Departments.
3. The City of Lansing will not participate in any costs for the extension of sanitary sewers or appurtenances, right of ways required, or legal, engineering and inspection fees.
4. The City shall not be responsible for any costs of construction or maintenance of the individual house leads from the user's building to, and including the connection with the sewer main located in the street or within a sewer easement.
5. In the case of borderline streets, where the City has previously constructed a sanitary sewer, connections will be allowed, subject to the payment of the utility equity investment fee and payment of the assessment cost as previously paid by residents of the City, and subject to all other provisions of this agreement.
6. A permit from the Department of Public Service from the City of Lansing shall be obtained prior to any sanitary sewer construction work. Detailed plans and specifications prepared by a registered Engineer shall be submitted to the Lansing City Engineer for review and approval prior to issuing the sanitary sewer construction permit.
7. If at all practical all sewer lines shall be placed in street Right of Way. If easements across private property are required, the Township shall acquire same at Township expense and in the name of the Township. Said easements shall be assigned to the City of Lansing, for the purpose of constructing and maintaining sanitary sewer system. All easements shall be properly recorded.
8. Upon completion of construction of sewers built, and prior to placing said system in use, satisfactory evidence shall be submitted to the City Engineer that the plans and specifications have been fully complied with and that the sewers may be placed in service. Upon submitting such evidence as may be required by the City Engineer, he/she shall, within thirty (30) days thereof, issue a letter of acceptance to the Township, and the City will then accept the system for maintenance and the sewage for treatment.
9. Permits for all connections to the main sewer will be required to assure that adequate records are maintained. Permits shall be issued by the Department of Public Service of the City of Lansing, prior to Lansing Charter Township issuing a building permit.

10. The Department of Public Service of Lansing shall maintain all records pertaining to the extension of services. The Department of Public Service of Lansing shall also provide all necessary forms or permits.

By Councilmember Canady

Carried unanimously

RESOLUTION #517

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-026, which authorizes upgrading the existing yield control on Greenwood Avenue at the intersection of Robertson Avenue to stop control.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #518

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-029, which authorizes various no parking zones on Pleasant Grove Road between Holmes Road and Jolly Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #519

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the property owner of 702 West Barnes Avenue has requested that 90 degree angle parking be allowed on the north side of Barnes Avenue in front of 702 West Barnes Avenue; and

WHEREAS, parallel parking is currently allowed on the north side of Barnes Avenue, in front of 702 West Barnes Avenue; and

WHEREAS, a vehicle parked at 90 degrees to the curb, on the north side of Barnes Avenue in front of 702 West Barnes Avenue, would protrude into the roadway nine feet or obstruct the public sidewalk; and

WHEREAS, the relocation of the sidewalk six feet to the north, the relocation of the curb on the northwest corner of Barnes Avenue and Beal Avenue three feet to the south, and the installation of bumper blocks between the public sidewalk and 90 degree angle parking stalls would allow a vehicle parked at 90 degrees to the curb to neither protrude into the roadway or block the sidewalk; and

WHEREAS, vehicles backing out of 90 degree parking spaces onto the street may create a traffic hazard when parking turnover is high; and

WHEREAS, the existing property use, a commercial bike shop, has a low parking turnover; and

Now, Therefore, Be It Resolved, the Lansing City Council hereby authorizes approval of 90 degree angle parking on the north side of

Barnes Avenue in front of 702 West Barnes Avenue for the current property use, a commercial bike shop, subject to the following conditions: (1) that the public sidewalk is relocated six feet to the north; (2) that the curb on the northwest corner of Barnes Avenue and Beal Avenue is relocated three feet to the south, and (3) that bumper blocks are installed between the public sidewalk and the 90 degree angle parking spaces; and

Be It Finally Resolved, the Lansing City Council hereby requests that the Transportation Division monitor parking turnover activity at 702 West Barnes Avenue if the property use changes, to determine if 90 degree angle parking can continue to be permitted without significant impact on public safety.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #520

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Community Correction Act of 1988 (PA 511) authorizes the establishment of a Community Corrections Advisory Board (CCAB) and community corrections programming; and

WHEREAS, Ingham County and the City of Lansing formed a joint CCAB in 1990; and

WHEREAS, PA 511 also provides for the funding of CCAB administration and community corrections programming; and

WHEREAS, a Comprehensive Community Corrections Plan has been adopted; and

WHEREAS, the Ingham County Board of Commissioners authorized the submission of the Ingham County-City of Lansing 1992-1993 Community Corrections Grant Application in the amount of \$280,490 for the time period of October 1, 1992, through September 30, 1993; and

WHEREAS, the CCAB has adopted an Addendum to the 1992-1993 Application for Community Corrections Act Funds pursuant to State Office of Community Corrections requirements for the purpose of obtaining full year fund;

THEREFORE, BE IT RESOLVED that the City of Lansing hereby adopts and authorizes the submission of the Addendum to the Ingham County/City of Lansing Application for State of Michigan Community Corrections Act Funds for FY 1992-1993, which requests the amount of \$260,040 for the time period of October 1, 1992, through September 30, 1993.

September 28, 1992

By Councilmember Schmidt

Carried unanimously

RESOLUTION #521

BY COMMITTEE ON WAYS AND MEANS

9/28/92

FY-92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$125,726.00 from Act 51(M)-Estimated Rev.

A/C 202-000000-170001-00000

125,726.00 to Pub. Ser.-Act 51(M)-Ctrl. Acct.

A/C 202-453634-992200-00000

(Special work authorizations—MDOT for trunkline maintenance. (Memo Acct. 202-453633-746703-0)

Submitted By:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Ford abstaining

RESOLUTION #522

BY COMMITTEE ON WAYS AND MEANS

9/28/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

FY-93

That the following transfers be approved:

\$200.00 from Est. Rev. A/C 101-000000-170001-00000

200.00 to City Supported Activities—Bgt. Ctrl.

A/C 101-834101-992200-00000

(Donations of \$100 each from Lester Brockwell and Lewis Mines for recreation scholarships for zoo entry passes. To Memo account #101-834101-960132-0)

Submitted By:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Ford abstaining

RESOLUTION #523

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following account be reappropriated and carried forward into the Fiscal Year beginning July 1, 1992, in the lesser of the amount indicated on the unencumbered balance:

Fund Department Memo Account

Act 51—Major Streets

Public Service
202-453633-746703-0

Memo Account Title
Trunkline Maintenance/Special Authorizations

Control Account
202-453634-992200-0

Amount
Unencumbered Balance

By Councilmember Benavides

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Ford abstaining

RESOLUTION #524

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING,
MICHIGAN UNITED STATES OF AMERICA

WHEREAS, IRINA LAGUNINA, a Russian journalist, is spending the week of September 28, 1992 in Lansing visiting local and state elected officials, and meeting with community leaders as part of her tour of selected cities throughout the United States; and

WHEREAS, IRINA's tour is sponsored by the World Press Institute at Macalester College, who annually provides ten international journalists with an intensive program of study and travel designed to examine all aspects of life in the United States, including all the inherent shortcomings and imperfections of our society; and

WHEREAS, IRINA was awarded this WPI Fellowship by virtue of her outstanding reporting on the liberation of prisoners of war in Afghanistan, which resulted in a 1989 Supreme Soviet resolution granting amnesty to those POWs.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 28th day of September, 1992 hereby welcomes IRINA LAGUNINA to Michigan's Capital City, with the sincere hope that her visit will be fruitful and beneficial to the people of Russia; and

BE IT FURTHER RESOLVED the Lansing City Council hereby acknowledges and pays tribute to her dedicated work on the issues of human rights and civil liberties, issues that all Americans, and all people everywhere, hold dear to their hearts.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #525

RESOLUTION APPROVING SECOND AMENDED
DEVELOPMENT PLAN AND SECOND AMENDED
TAX INCREMENT FINANCING PLAN

(PHASE II—Lansing Convention/Exhibition Center and Associated Facilities Project)

WHEREAS, this City Council has given notice pursuant to Section

17 of Public Act No. 450 of the Michigan Public Acts of 1980, as amended (the "Act") of a public hearing which was held on June 15, 1992, relative to the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan for the Phase II—Lansing Convention/Exhibition Center and Associated Facilities Project (the "Project") of the Tax Increment Finance Authority of the City of Lansing (the "Authority"); and

WHEREAS, this City Council has previously approved the development plan, as modified and the tax increment financing plan, as modified for the Phase I—Lansing Convention/Exhibition Center and Associated Facilities Project; and

WHEREAS, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits and for introduction of documentary evidence pertinent to the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

WHEREAS, this City Council desires to express its approval of the Second Amended Development Plan, the Second Amended Tax Increment Financing Plan and the Project described therein, and wishes to request the Authority to proceed with the Project and the financing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. It is hereby determined that the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan for the Project, as presented, each constitutes a public purpose within the meaning of the Act and the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan are each hereby approved in its entirety based on the following considerations:

a. The Second Amended Development Plan meets the requirements as set forth in Section 16(2) of the Act and the Second Amended Tax Increment Financing Plan meets the requirements as set forth in Section 13(2) of the Act.

b. The proposed method of financing the Project is feasible and the Authority has the ability to arrange the financing.

c. The Project is reasonable and necessary to carry out the purposes of the Act.

d. The amount of captured assessed value estimated to result from the adoption of the Second Amended Development Plan and Second Amended Tax Increment Financing Plan is reasonable.

e. The land to be acquired within the development area, if any, is reasonably necessary to carry out the purposes of the Second Amended Development Plan and the Second Amended Tax Increment Financing Plan and the purposes of the Act.

f. The Second Amended Development Plan is in reasonable accord with the approved master plan of the City of Lansing.

g. Public services, including fire and police protection and utilities, are adequate to service the development area. No changes in streets, street levels, intersections or utilities, will be

reasonably necessary for the Project and the municipality.

2. The Authority is hereby requested to proceed with the Project and the financing thereof.

3. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

4. As recommended by the Mayor, the following is to be implemented:

a. A developed marketing and operational plan by Peat Marwick, the cost of which is \$20,000. This sum has been approved and will be paid by the Authority. Implementation should be made as soon as possible.

b. The Authority will forward to the Mayor and Council monthly reports on all phases of construction and financial progress.

c. A Lansing Convention Task Force be established for better communication, addressing the needs of the local convention industry and making recommendations for changes of mission, marketing, and/or operation. Committee members shall include, but not be limited to, the Convention/Exhibition Hall Authority, Convention/Visitors Bureau, Lansing 2000, the Greater Lansing Chamber of Commerce, and the Authority. This task force will be appointed by the Mayor. The Mayor or his designee shall chair the task force. This task force shall provide its recommendations to the Mayor no later than January 15, 1993.

d. Pending the availability of funds from the Phase II bond issue, additional exhibit hall space will be constructed immediately.

e. An alternative bid will be prepared for a 70,000 gross square foot addition (50,000 Net Exhibit Hall) to be held for 180 days. Bids shall not be released prior to notification of Council and Mayor.

f. The Authority shall immediately and concurrently with Phase II begin the development of plans and financing for Phase III. No funds from the sale of the Civic Arena will be applied to Phase II and Phase III development. Whatever monies are necessary to build or acquire a Veterans Center and Senior Center will be attained from the proceeds of the sale of the Lansing Civic Arena.

5. The Mayor is requested to implement the Lansing Center Master Plan as expeditiously as financially feasible, to include, but not limited to the CvB's resolution of September 22, 1992, regarding sales and marketing of the Lansing Center, with additional exhibition hall space as top priority.

6. The Lansing City Council is committed to an additional 50,000 square feet of exhibit space for the Lansing Center.

7. This resolution shall take effect immediately upon its adoption.

8. The City Clerk is hereby directed to provide four certified copies of this resolution to the Secretary of the Authority.

September 28, 1992

By Councilmember Belen

To amend the resolution by making the following changes:

On page 2, paragraph 4.c. after the word marketing, delete "and/or", change operation to "Operations", and add the following: "and financing of the additional 50,000 square feet for

the Lansing Center". On page 3, paragraph 4.f. delete the first sentence and amend the second sentence to read: "No funds from the sale of the Civic Arena will be applied to development of the Lansing Center".

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution as amended

Carried unanimously

BY COUNCILMEMBER SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has recently been approached by Utilicorp United in regard to the possible sale of the Board of Water and Light; and

WHEREAS, the sale of the Board of Water and Light would require the approval of 60% of all registered voters residing in the City of Lansing; and

WHEREAS, the Public's reaction to this news has been one of consistent opposition to the sale of the BWL; and

WHEREAS, a special Ad-Hoc Committee has been appointed by the Mayor to investigate and review the implications of this proposal; and

WHEREAS, in order for the Ad-Hoc Committee to adequately review this proposal it will be necessary to engage the services of expert consultants in the areas of utility valuation and utility management at considerable cost; and

WHEREAS, given the improbability of the sale of the BWL being approved by Lansing voters, and given the long-standing record of efficient service to the community by the BWL, it is not necessary to expend funds pursuing the proposal made by Utilicorp United.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 28th day of September, 1992 hereby ceases all consideration of the sale of the Board of Water and Light.

September 28, 1992.

By Councilmember Schmidt

Resolution defeated by the following vote:

YEAS: 1

NAYS: 7

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER CANADY:

That we move to passage of ordinances.

BY COUNCILMEMBER CANADY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-15-92—229 North Pine Street be rezoned from "D-2" Residential/Office District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-15-92—229 North Pine Street be rezoned from "D-2" Residential/Office District to "D-1" Professional Office District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford Schmidt

NAYS: None

ABSENT: None

ORDINANCE #2343

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-15-92, 229 North Pine Street

Parcel Number: 3301-16-156-023

Legal Description: The south 22 feet of the east 77 feet of Lot 1 and the north 22 feet of the east 77 feet of Lot 2, Block 91, Original Plat, City of Lansing, Ingham County, Michigan
From "D-2" Residential/Office District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a request that the rules be suspended to allow for the presentation of a resolution of tribute to Irinia Lagunina, Visiting Russian Journalist

THE RULES WERE SUSPENDED AND RESOLUTION #524 WAS PRESENTED TO IRINA LAGUNINA DURING THAT PORTION OF THE AGENDA RESERVED FOR SPECIAL CEREMONIES

2/ From Councilmember Schmidt a resolution regarding the sale

of the Board of Water & Light

THIS RESOLUTION WAS DEFEATED BY A VOTE OF 1 YEA/7 NAYS AND WAS REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE OF THE WHOLE

3/ From Councilmember Schmidt proposed traffic control order for Dunckel Road

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

REMARKS BY THE MAYOR

Mr. Boyd thanked Council for passing the resolution on the Lansing Center. This was the first project he was assigned when he came to work for the city in 1985. He recalled when the land occupied by the Lansing Center was just a big parking lot and stated his appreciation for the continued development of it. He informed Council of a new development in the transfer of a Class C liquor license for the Ramstar Group. Council approved the transfer of this license several weeks ago. The administration has subsequently been advised that the location the license was transferred to is within 500 feet of a church. Tithe Missionary Baptist Church is located at 1419 W. Holmes Road. This building appears to be an unoccupied building and so this situation went undetected when the Police Department did their inspection. Approval by Council of the transfer of this liquor license under these conditions is a violation of City ordinance. He asked that Council take this issue back to the Physical Development Committee.

RESOLUTION #526

BY COUNCILMEMBER TONY BENAVIDES

That Resolution #380, approval for the transfer of a Class C Liquor License for Ramstar Group, adopted by the City Council of the City of Lansing on July 13, 1992 be and hereby is rescinded.

By Councilmember Benavides

Carried unanimously

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

Mr. Boyd announced that Mayor McKane had asked Chief Boles to respond to the questions and concerns raised by members of the Westside Neighborhood Association last week. Chief Boles outlined the criteria for assignment of Community Policing Officers. He said his department is concerned about the complaints regarding response time of police officers, and has been meeting with members of this association. He encouraged anyone who has a complaint about police response time to call the Police Department with it IMMEDIATELY so that they can follow up on it right away to find out what happened in each particular case. It is very hard to determine the cause of delayed response time if the incident is not related to them immediately. The Police Department is very committed to this neighborhood as they are to all neighborhoods in the City. Councilmember Ford asked Chief Boles to share this information with the Westside Neighborhood Association, and perhaps set up a meeting for discussion of the Community Policing criteria. Councilmember Beal said she had asked for a memo to be sent to the Police Department regarding the level of drug activity in the Walsh Park area. She does not know if the memo was sent, but asks that Chief Boles look into the situation. Mr. Boyd suggested that with Halloween approaching,

people may want to consider, passing out Easter Seal Society coupons in 'trick or treat packs', rather than perishable items. He announced that Toys-R-Us will have a haunted house. He relayed a message from Mrs. Flaherty. She has received a letter from Gary Bridges of the Building Department regarding a problem that Mrs. Alvarado was having. This was discussed in Committee of the Whole last week and a report will be ready for Committee of the Whole this week. He congratulated Margie McNutt on her appointment to the new parole board. Last week two local high schools took first and second place at the "Motor City Classic" at the Silver Dome.

REMARKS BY COUNCILMEMBERS

Councilmember Ford said that, if Councilmember Schmidt had information regarding the transfer of the Class C liquor license for the Ramstar Group that would have affected its' passage by Council, then she should have shared that information with them.

Councilmember Schmidt said that her discussion regarding the Ramstar Group license transfer was with the City Attorney and the Chairman of the Physical Development Committee. They both indicated to her that her concerns would not be well received. She asked to have representatives from Everett and Sexton High School available for tribute under special ceremonies.

Councilmember Beal said she does not believe Council should have suspended the rules to allow a candidate to speak. They do not allow residents of Lansing to speak at the beginning of the meeting on non-action items and this candidate is not even a resident of Lansing. She warned that they would get a flood of candidates all wanting equal time and suggested that they all be invited to make their addresses during the 'soapbox' half hour.

Councilmember Benavides told his colleagues that they "took a bath on the Deja Vu situation". They have not met any of the conditions that were set forth in the approval for their special land use request. They have not made any attempt to comply with the requirements they were given and the community is still exposed to their activities on a daily basis. They are laughing at Council. He asked Mr. Boyd to check into it.

Councilmember Brockwell said that Deja Vu has 180 days from the time their building permit is taken out to comply with the conditions of the SLU. He wished a happy birthday to Councilmember Ford. Today is his birthday.

Councilmember Canady said that at the time that Councilmember Schmidt talked to him regarding the license for Ramstar Group he had no knowledge of the ordinance violation or he would not have voted for it. He said that Council must have confidence in Lansing and what it can become. And in the future take action to see that it happens.

Council President Crawford agreed with Councilmember Beal's statements regarding the suspension of the rules to allow Mr. Chrysler to speak. He referred the issue to the Committee of the Whole for development of a policy for everyone. He welcomed Karen Schmidt, Channel 28 Director back from maternity leave.

CITIZENS MAY COMMENT

Kris Nicholoff, President of the Lansing Youth Recreation Fund said the program worked terrifically thanks to private dollars

donated. They already have \$5,400 donated for next year. He urged Council to look closely at the sale of the Board of Water and Light. In particular, they should look to the protection of the employees of the Board and the creation of new jobs. He said the city does not have the money to provide the good solid services that it must provide if it is to keep its' residents. He does not believe in term limitations. Five of the eight Councilmembers in office today are still in their first term.

Lloyd Teets of 116 E. Elm St. said he originally brought up the question of whether or not the Board of Water and Light was an asset or a liability to the City many months ago in a communication to Council. The Council President threw his communication in a waste basket. Right now, no one knows how much the Board is worth, and it is worth a few bucks to find out. He pointed out that most of the people who spoke in support of the expansion of the Lansing Center do not even live in Lansing.

William Bernstein of 420 Baker St. said he is tired of his friends being denied their right to freedom of speech and being forcibly removed from Council Chambers by Council. He said the members of the audience should be allowed to applaud speakers if they want to. Council applauds people they want to applaud.

Harold Leeman of 529 N. Francis said there is padding of overtime going on by city employees who plan to retire, thereby boosting their retirement pay. He said he does not want to see a lot of lobbying done through the media on the subject of the sale of the Board of Water and Light. He does not feel that Councilmembers belong on this Committee. It should be the Mayor's responsibility.

Paul Scott of 412 W. Kilborn agreed with Councilmember Beal's comments regarding the impropriety of allowing Mr. Chrysler to address Council through suspension of the rules. He said that Mr. Chrysler's remarks calling for change in the elections were offensive to him. He asked for help with a problem his neighborhood is experiencing. Many of the cars they have identified as being involved in the illegal sale of drugs do not have lights over their license plates making it easier for them to illude police. He asked the Police Department, Mayor's Office and Public Safety Committee to look into this.

Stewart Reynolds of 557 Roberts St. related a problem students are having on Cavanaugh St. between Logan and Cedar. One side of this street is posted for "no parking" but parking is allowed on the other side of the street. He said both sides of the street should be posted "no parking" during school hours because of the problems students have in getting to school. President Crawford referred this matter to the Public Safety Committee.

ADJOURNED 9:45

JAMES D. BLAIR, CITY CLERK

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, October 5, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
October 5, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

MINUTES

By Councilmember Benavides

To approve the Printed Council Proceedings of September 8, and September 14, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a letter From Betty Draher of 1513 Donora St. regarding a violation of the noise ordinance in her neighborhood

2/ From Councilmember Schmidt a request that the rules be suspended to allow for presentation of the resolution of tribute to the Everett Viking Marching Band during the Special Ceremonies portion of the agenda

3/ From Councilmember Ford a request that the rules be suspended to allow for presentation of the resolution of tribute to the Sexton Big Red Marching Band during the Special Ceremonies portion of the agenda.

4/ From Councilmember Benavides a letter from Kim Kennon of 2026 Holly Way requesting maintenance items and playground improvements for Elmhurst City Park

5/ From Councilmember Brockwell a resolution authorizing submission of a grant application to the Michigan Department of Transportation for construction on the River Trail

6/ From Councilmember Brockwell, on behalf of Council President Crawford, a resolution requesting an amendment to the Lansing Building and Housing Code

7/ From Councilmember Canady a Committee Report from the Ad Hoc Committee on Early Retirement suggesting that the City use an automated voice mail telephone system to augment existing

personnel services following retirements through the Early Reduction in Force program

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of ACT-32-92, Pine Tree Road parcel D, a proposed land exchange with the Stockwell Group

Kenneth Winter of 2007 Rockway spoke on behalf of the Stockwell Group. They have ten acres on Pine Tree Road across from the property that the City owns. They are offering an even exchange on this property. He asked for approval of their request.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

PUBLIC COMMENT

Harold Leeman of 529 N. Francis asked for an explanation of Councilmember Canady's late item from the Ad Hoc Committee on Early Retirement regarding voice mail.

Lloyd Teets of 116 E. Elm St. objected to the amount of late items for tonight's meeting. He called this bad government and asked that, in the future, late items be kept to a minimum for the sake of good government.

SPECIAL CEREMONIES

A. Mayor McKane invited 36 participants in the Hershey National Track and Field Program to the come up and receive certificates of recognition. The event was held in Howell, Michigan on July 17, 1992.

B. Mayor McKane presented a certificate of recognition to Coach Gast of Sexton High School for East Lansing Post #205, winners of the State Championship in the Michigan Recreation and Parks Association Class D (18 & Under) competition

C. Mayor McKane presented a certificate of recognition to Ramont Auto Sales for winning their second annual North Central Conference American Amateur Baseball Tournament. They have won this championship tournament two years in a row. A representative from the team said they are happy to be able to bring the National Championship home to Lansing.

D. Councilmembers Ford and Brockwell presented a resolution of tribute to the Sexton Big Red Marching Band, Second Place winner in the "Motor City Classic" Battle of the Bands held September 26, 1992 at the Pontiac Silverdome

E. Councilmember Schmidt presented a resolution of tribute to the Everett Viking Marching Band, First Place winner in the "Motor City Classic" Battle of the Bands held September 26, 1992 at the Pontiac Silverdome

COMMUNICATIONS AND PETITIONS

A. Request from Carl F. Hedley, Area Coordinator for the Lyons Avenue Neighborhood Watch for a waiver of fees for the Parks and

Recreation Showmobile stage for use in their annual Halloween Costume Contest/Parade

**REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS**

B. Notice from the Department of Natural Resources of Compliance by the City of Lansing with the National Pollutant Discharge Elimination System (NPDES) Permit

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane commented on his letters from tonight's agenda. Letter #1, notice from the U.S. Department of Housing and Urban Development (HUD) of funding approval for the Comprehensive Grant Program of the Lansing Housing Commission. Letter #2, Appointment of William Tousley to the Traffic Board. Letter #3, Energy Fitness Program. Letter #4, reorganization of the Labor Relations Department to be implemented immediately because of the labor negotiations taking place.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #527

October 5, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Darryl Ivan Sprague, Simon Mark Reiffer, Jr.,
Donnell McClain

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmember of the Availability of Minutes from Council Proceedings of September 28, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ U.S. Department of Housing and Urban Development (HUD) Approval Letter for Lansing Housing Commission's Comprehensive Plan for the Comprehensive Grant Program (CGP)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS
(INFORMATION ONLY)

2/ Appointment of William Tousley to Traffic Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3/ Energy Fitness Program Information

RECEIVED AND PLACED ON FILE

4/ Mayor's Recommendation Regarding Reorganization of Labor Relations Department

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5/ Letter from Ms. Betty L. Gardner Supporting Proposed Overpass for Sparrow Hospital

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

6/ Resolution for Extension of Sewer Service in Lansing Township

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7/ Public Improvement I for Renee Street

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

8/ Letter from Historic District Commission Opposing Proposed Location of L.A.S.E.R. Center at 336 East Hillsdale

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #528

BY THE AD HOC COMMITTEE ON EARLY RETIREMENT

REPORTS AS FOLLOWS: The Committee received a verbal report from Mr. Purvis and Ms. Kessler from Administrative Services. A \$78,000.00 contract is available from Octel which will cover the hardware, software, installation, and application/development time. The Committee believes that with several employees accepting the early retirement program, voice mail could benefit certain departments that may have a reduction in staff.

The Committee requests that the Committee on Ways and Means reviews this issue.

Signed: Mark H. Canady, Chair
Tony Benavides
James Crawford
Steve Duarte
Terry McKane

BY COUNCILMEMBER MARK H. CANADY

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #529

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mark Ketchum filed a claim against the City in a total amount of \$2,688.90 in protest of billings and special assessments due to violations of the Housing Code at four rental properties owned by the claimant, located at 1304 Alsdorf, 1614 Marcus, 304 South Magnolia and 217 East South Street; and

WHEREAS, the City Attorney's staff recommendation was to deny

the claim in its entirety; and

WHEREAS, the claim and the staff attorney's recommendation were reviewed by the Committee on General Services, and the claimant was present to testify in support of his claim; and

WHEREAS, the Committee found that the City followed proper procedures for each Housing Code violation cited on the claimant's properties, and concurs with the Law Department recommendation that the claim be denied in its entirety;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Mark Ketchum; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

October 5, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #530

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 92-013, which authorizes changing parking regulations on Michigan Avenue from Holmes Street to Pennsylvania Avenue to include a no parking zone on either side of the new driveways to Sparrow Hospital.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #531

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-032, which authorizes the installation of four-way stop signs at the intersection of Forest Avenue and Rockford Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #532

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 92-033, which authorizes the installation of a traffic signal at the intersection of Dunkel Road and US-127 Ramp 013C.

By Councilmember Schmidt

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Schmidt

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Ford abstaining

RESOLUTION #533

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 92-034, which authorizes changing parking regulations on Michigan Avenue from Cedar Street to Larch Street from two hour to ten hour metered parking.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #534

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 92-035, which authorizes changing parking regulations on Gordon Avenue to add a no parking zone on the south side of Gordon Avenue from Beal Avenue to 100 feet east of Beal Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #535

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Robert Brown, Jr. to the Fore Board for a term to expire June, 1996, is hereby confirmed.

By Councilmember Schmidt

To accept a friendly amendment to the resolution to correct the spelling of "Fire", and place an affirmative roll on the resolution as corrected

Carried unanimously

RESOLUTION #536

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 26, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use request SLU-14-92 for property at 1825 Sunset Avenue by Jay Harter and Owen Faust, representing the owners, Michael and Valerie Guthrie, who wish to develop an off-street surface parking lot for Trumark, Inc., an industrial plant located across the street from 1825 Sunset Avenue.

By Councilmember Canady

To discharge the Committee on Physical Development on this item

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #537

BY COUNCILMEMBER CANADY

October 5, 1992

227 North Sycamore Street
Pine Lodge

RE: SUP-9-82

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the property at 227 North Sycamore Street carried an approved Special Land Use permit which had expired; and

WHEREAS an extension of time to allow the relocation of Pine Lodge was approved for Kevin Hogan, Director of Pine Lodge Community Residential Care Center, in 1988, 1990, and again in 1991, which is scheduled to expire on October 8, 1992, and

WHEREAS Kevin Hogan, Director of Pine Lodge Community Residential Care Center, located at 227 North Sycamore Street, has requested an extension of time beyond the expiration date of October 8, 1992 on the 1988 Special Land Use permit pending location to a new site; and

WHEREAS Kevin Hogan has indicated that the search for a new site will continue, but the State of Michigan and the Department of Social Services do not have immediate plans to build a new structure, and

WHEREAS Kevin Hogan has indicated his intentions to continue to perform upkeep and general maintenance on the property at 227 North Sycamore Street during the time they are selecting a new site, and

WHEREAS the Physical Development Committee of City Council discussed the extension of the Special Land Use permit at their meeting of September 24, 1992, and, in accord with Section 1282.03(b) of the Planning and Zoning Code, recommended that the temporary location of Pine Lodge at 227 North Sycamore Street and the requested time extension for thirty six months (three years) from October 8, 1992 be approved subject to conditions;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the extension of the Special Land Use permit providing for the continuation of the temporary location of Pine Lodge at 227 North Sycamore Street subject to the following conditions:

1. That the temporary location and extension of the Special Land Use permit shall be for not more than thirty-six months (three years) from October 8, 1992, at which time the Council will reevaluate this request on the basis of performance by the applicant to provide upkeep and maintenance to the property; and
2. That the Director of Pine Lodge, or whoever is responsible for the development of the new facility, shall continue to provide City Council and the Planning Division with an update on their progress for the new facility at the end of each ninety-day period, commencing October 8, 1992; and
3. That upon the occurrence of 36 months from October 8, 1992 or upon the completion of the development at their new site, whichever first occurs, the Special Land Use permit provided in this resolution shall automatically expire; and
4. That the Director of Pine Lodge shall execute a written

document expressly acknowledging the terms and conditions set forth in this resolution and the consequences of the applicant's failure to comply with the terms and conditions set forth herein.

By Councilmember Canady

To discharge the Committee on Physical Development on this item

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #538

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Everett Viking Marching Band participated in a "Battle of the Bands" on September 26, 1992, at the Pontiac Silverdome; and

WHEREAS, this all-day competition sponsored by the McDonald's Corporation brought together 15 high school marching bands from all over Michigan; and

WHEREAS, the trip back to the Capital City from the Silverdome was a happy one for the Vikings because they brought with them the First Place Trophy and a check for \$1,500;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 5th day of October, 1992, hereby commends and congratulates Band Director Josh Hicks and all members of the Everett High School Viking Marching Band for their dedication and hard work that helped them win the Battle of the Bands, as well as the adult members of the Viking family who supported their efforts.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #539

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the J. W. Sexton Big Reds Marching Band participated in a "Battle of the Bands" on September 26, 1992, at the Pontiac Silverdome; and

WHEREAS, this all-day competition sponsored by the McDonald's Corporation brought together 15 high school marching bands from all over Michigan; and

WHEREAS, the Big Reds earned the Second Place Trophy and a check for \$1,000;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 5th day of October, 1992, hereby commends and congratulates the members of the J. W. Sexton High School Big Reds Marching Band for their dedication and hard work that helped them win the Battle of the Bands, and to all the adult members of the Big Reds family that supported their efforts.

By Councilmember Ford

Carried unanimously

RESOLUTION #540**RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF LANSING**

WHEREAS, the Federal Government passed the Intermodal Surface Transportation Act (ISTEA) that is administered by Michigan Department of Transportation (MDOT); and

WHEREAS, MDOT is receiving grant applications for non-motorized transportation under this program; and

WHEREAS, the City of Lansing, consistent with our Recreation Plan and Park Millage for Capital improvements, wishes to construct the River Trail from Dietrich Park to Knollwood using a 170' long pedestrian bridge to cross the Grand River; and

WHEREAS, the ISTEA program will fund \$225,500 and the Park Millage will provide the local match of \$185,500 if the grant application is approved;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorizes the submission of a grant application to MDOT in the amount of \$410,000 for construction of the River Trail from Dietrich Park to Knollwood and authorizes the use of \$185,500 from the Park Millage for match.

By Councilmember Canady

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Brockwell

To place an affirmative roll on the resolution

Carried unanimously, Councilmember Ford abstaining

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-16-92—4305-4311 South Cedar Street to be rezoned from "A" Residential District, "F" Commercial District and "J" Parking District to "F" Commercial District

was introduced by Councilmember Canady, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #541

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 26, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-16-92—4305-4311 South Cedar Street to be rezoned from "A" Residential District, "F" Commercial District and "J" Parking District to "F" Commercial District

By Councilmember Canady

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a letter From Betty Draher of 1513 Donora St. regarding a violation of the noise ordinance in her neighborhood

REFERRED TO THE MAYOR

2/ From Councilmember Schmidt a request that the rules be suspended to allow for presentation of the resolution of tribute to the Everett Viking Marching Band during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND COUNCILMEMBER SCHMIDT PRESENTED RESOLUTION #538 TO REPRESENTATIVES FROM THE EVERETT VIKING BAND DURING THAT PORTION OF THE AGENDA RESERVED FOR SPECIAL CEREMONIES

3/ From Councilmember Ford a request that the rules be suspended to allow for presentation of the resolution of tribute to the Sexton Big Red Marching Band during the Special Ceremonies portion of the agenda.

THE RULES WERE SUSPENDED AND COUNCILMEMBERS FORD, AND BROCKWELL PRESENTED RESOLUTION #529 TO REPRESENTATIVES FROM THE SEXTON BIG RED BAND DURING THAT PORTION OF THE AGENDA RESERVED FOR SPECIAL CEREMONIES

4/ From Councilmember Benavides a letter from Kim Kennon of 2026 Holly Way requesting maintenance items and playground improvements for Elmhurst City Park

REFERRED TO THE MAYOR AND THE PARKS BOARD

5/ From Councilmember Brockwell a resolution authorizing submission of a grant application to the Michigan Department of Transportation for construction on the River Trail

HANDLED AS RESOLUTION #540

6/ From Councilmember Brockwell, on behalf of Council President Crawford, a resolution requesting an amendment to the Lansing Building and Housing Code

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

7/ From Councilmember Canady a Committee Report from the Ad Hoc Committee on Early Retirement suggesting that the City use a automated voice mail telephone system to augment existing personnel services following retirements through the Early Reduction in Force program

HANDLED AS RESOLUTION #528**REMARKS BY THE MAYOR**

Mayor McKane announced that the United States Marine Band will appear at the Everett High School Auditorium on Monday, October 18, 1992 at 8:00 P.M. Tickets are free of charge and may be obtained through the Parks and Recreation Department. Interested persons may call 483-4277. In conjunction with ongoing work on the Combined Sewer Overflow Project, Shubel Avenue from

Lindbergh to Mt. Hope Avenue will be closed until October 16, 1992. He informed Council that houses at 539 Paris and 706 Isbell, which have both been in the demolition process for some time, were demolished on September 29, 1992. He reminded everyone that Burger King, along with Precious Moments, is selling coupons as non-perishable treats to be passed out at Halloween. Proceeds go to the Easter Seal Society. Toys-R-Us will have a haunted house, free of charge. He reported that the City has successfully litigated proceedings to condemn and purchase a building in the 500 Block of Michigan Avenue. Terry Whitman has until December 31, 1992 to vacate the property.

REMARKS BY COUNCILMEMBERS

Councilmember Canady asked Mayor McKane to look into a memo he sent to the Building Department three weeks ago regarding property at 4336 Chadburne and 4048 Windward Streets.

Councilmember Schmidt thanked all of the City Departments that helped with the demolition of 539 Paris. She gave instruction on the proper way to salute the flag during the pledge of allegiance. This week is fire prevention week and the importance of smoke alarms cannot be stressed enough. The city has measures to help provide smoke detectors to people who are in need and cannot afford one, anyone interested must contact her. She urged everyone to check the batteries in their smoke detectors to make sure they are functioning.

CITIZENS MAY COMMENT

Douglas Fairbanks of 107 May St. asked Council President Crawford if it is possible to have the Chapel Tones make an appearance at Council.

Howard Jones of 426 W. Barnes, member of Citizens for a Better Lansing said that tomorrow at 7:00 P.M. the Committee on the Future of the Board of Water & Light will meet at the Michigan Retailers Association. He asked to have this meeting changed to a public forum and held in a facility that will accommodate all of the members of the public who want to attend.

William Bernstein of 420 Baker Street spoke regarding his dispute with the Building Department, City Attorney's Office and Judge Wood.

Marjorie Morgan of 3224 Palmer Street said she cannot afford to pay recycling fees to the city for recyclable materials that they will not collect. She has tried putting things out for pickup, but is told that the city does not collect the items she is putting out. If the city does not accept items, the citizens who cannot afford recycling should not have to pay for it. Council President asked Mayor McKane to have Marshall Klaus contact Ms. Morgan.

Robert D. Truax of 3639 Aragon asked for intervention by the city in the development by Peckham Vocational Industries of a institution for "at risk" 14-17 year old juvenile males at 2132 Glencoe Way. Most of these people are from dysfunctional families and may have criminal records. The city must be able to do something to stop this facility from going into their neighborhood. He submitted a petition signed by 171 residents of this neighborhood. City Attorney Knot explained that the State interprets the Federal Fair Housing Act of 1988 to read that cities are prohibited from preventing the establishment of these kinds of facilities. The State says they do

not even have to notify anyone, including City Council, or the Mayor that these facilities are being considered.

Mel Farmer of 3707 Ridgefield said this neighborhood is against this facility being put in. The city should take aggressive action to make sure that their neighborhood stays stable. Councilmember Ford invited the people who attended tonight to discuss the facility on Glencoe to stay after the adjournment of the Council meeting for a special meeting with him and the City Attorney.

Richard Collins of 225 Moores River Drive read excerpts from newspaper articles regarding law suits against Utilicorp Inc. One by former employees, and another for violation of federal securities and disclosure laws.

Tom Shields of 1118 Riley St. said that he asked a few weeks ago to have the admission fees to the Potter Park Zoo restricted so that they are charged only between Memorial Day and Labor Day. He was there again last week and the fees are still being collected. Mayor McKane responded that he was at the Zoo with the Parks and Recreation Director and asked why the admission fees were still being charged. The fees will be discontinued this week.

Lloyd Teets of 116 E. Elm St. said he received anonymous phone calls following last week's meeting. He thinks they were planted calls. The callers accused him of being full of bad news and having a negative attitude during his appearances at Council. He said he is negative about the expansion of the Lansing Center because he is opposed to the means in which it is financed. The public has been mislead. He is opposed to financing the Lansing Center on the backs of the tax payers in the City of Lansing. The City should be paying for parks police and community policing programs and other services needed by the citizens of the city. He was not negative in his appearances in support of these services. He is not negative in his concern about the homeless and the housing stock in Lansing. One hundred and forty-seven houses are scheduled for demolition this year alone. He claims that it is Council who is being negative.

Hal Lamb of 905 Mill Highway said he misses living in Lansing. The City has a lot to offer to the residents who live in it.

Harold Leeman of 529 N. Francis asked Mayor McKane the base price the City offered Terry Whitman. City Attorney Knot said the offer was for \$87,000. Mr. Leeman said the brickwork in the road at the intersection of Michigan and Grand Avenue is buckling and bumpy. He asked if the City Council meeting on October 19, 1992 will be postponed because of the Presidential debate. President Crawford said they would take the subject of a postponement up at Committee of the Whole on Thursday.

ADJOURNMENT 8:30

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

344

Proceedings, October 12, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
October 12, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Canady

MINUTES

By Councilmember Belen

To approve the Printed Council Proceedings of September 21, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules

1/ From Councilmember Beal a letter from Vicki Torres regarding a problem with violation of the noise ordinance in her neighborhood

2/ From Councilmember Benavides a resolution regarding an automated voice mail system

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-07-92, 3405-3405½ S. Cedar St. petition to rezone from "A" Residential District to "F" Commercial District submitted by John R. Benson

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. In consideration of Z-08-92, 515 W. Hillsdale St. petition to rezone from "DM-4" Residential District to "D-1" Professional Office District submitted by Jay Gupta

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. In consideration of Z-10-92, North of 131 Regent St. petition to rezone from "J" Parking District to "DM-3" Residential District submitted by N & D Investments

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. To consider that property located at 1005 Beech St. be made-safe or demolished

Jim Vanderbunte speaking on behalf of Mr. Gupta, property owner, said that Mr. Gupta had sold this property. Because of on-going problems with the property Mr. Gupta retrieved it. He would like an extension of time to get the building permits necessary to bring this property up to code. Councilmember Brockwell invited them to attend the Public Service Committee meeting Wednesday, October 14, 1992 at 9:30 A.M. this property will be on the agenda.

Lloyd Teets of 116 E. Elm St. said this is another of the 147 properties that the City wants to demolish this year. He read the criteria under which a building can be judged unsafe or dangerous and asked which of the nine criteria applied to this building. Councilmember Brockwell asked to have Mr. Kzeski, Director of the Building Department respond to Mr. Teets question following the last public hearing for make-safe or demolish.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

E. To consider that property located at 1219 W. Kalamazoo be made-safe or demolished

Don Holver of 6150 Old River Trail said that he bought this property after it was inspected. He has done extensive work on the property since then to bring it up to code. He asked for an extension of time to allow the work to be completed.

Lloyd Teets of 116 E. Elm St. said that the City recently instituted a recycling ordinance to reduce the amount of material being dumped in landfills, however, 20% of landfill dumping comes from left over material after construction and demolition of houses. He said the City should at least be retrieving the material in these homes that is reusable and not dumping it in landfills.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

F. To consider that property located at 1111 E. Oakland Ave. be made-safe or demolished

Lloyd Teets of 116 E. Elm St. said that these types of proceedings should be handled by a court of law. Council should not have this kind of power. In 1988 one of the two houses he has owned in the Lansing area was knocked down by City Council. The City should be repairing these houses, not knocking them down.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

G. To consider that property located at 2217 Rheamont Ave. be made-safe or demolished

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

H. To consider that property located at 1121 Cleveland be made-safe or demolished

Walter Sczwerinski, no address given, said the problem with this house is that it is in an integrated neighborhood, but it is still a nice house. He does not have the money to fix it. The City should not be tearing houses like this down. He would have to borrow against all of his insurance policies to get the money to fix the house. Councilmember Brockwell asked that he attend the Public Service Committee meeting on Wednesday morning at 9:30 A.M.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

I. To consider that property located at 218 Smith Ave. be made-safe or demolished

Kenneth Dewey of 630 S. Sheldon in Charlotte said he is trying to get a loan to fix his property. Councilmember Brockwell asked him to attend the Public Service Committee meeting on Wednesday morning at 9:30 A.M.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

Jim Kzeski, Director of the Building Department said these houses all qualify as unsafe or dangerous buildings under either subsections 5, 6, or sometimes 8 of section 203. Unsafe Buildings or Structures of the Uniform Building Code.

PUBLIC COMMENT

Howard Jones of 426 W. Barnes, a member of Citizens for a Better Lansing, thanked the thousands of citizens who got behind them to oppose the sale of the Board of Water & Light. He suggested that, when future proposals or propositions are considered, Council should have the courtesy to go to a citizens group for recommendations and study of the issue. He read a letter he wrote last September to Mayor McKane suggesting a list of possible committee members for the Committee on the Future of the Board of Water & Light.

Richard Collins of 225 Moores River Drive asked that the resolution taking the Board of Water & Light off the market be passed unanimously. He said the Board has served the City and its citizens well for over 107 years. He said that, since the Board of Water & Light has \$60,000,000 in cash, they should be running the City.

Lloyd Teets of 116 E. Elm, also a member of Citizens for a Better Lansing said he has a different opinion of the Board of Water & Light than the majority of this group. He stated a month ago that this was all a smoke and mirrors trick on the part of City Council. It was a diversion to allow them to spend \$25,000,000 on the Lansing Center. The Board of Water & Light has only served the City well for 40 of the 107 years it has been in existence. The rates went up in January of 1992 and will go up in January 1993, and January 1994 and before you know it the City will have to buy its power from the Belle River Plant.

Max Zemer of 527 Edison, representing the IBEW said he wants to see the resolution passed so they can get back to doing the business of the Board of Water & Light. He thanked everyone who worked with them to oppose the negotiations for the sale of the Board of Water & Light.

Douglas Fairbanks of 107 May St. said rates in the upper peninsula are higher than in Lansing. Council has done a fine job of investigating the possibility of selling the Board.

Harold Leeman 529 N. Francis asked Council to wait one week before passing the resolution approving the use of voice mail. They need to know more about how it will affect City departments. Michigan Bell Telephone operators already direct all calls for information to the City Clerk's Office. He would not like to see their office inundated with callers trying to reach a live voice. He objected to the time change for next Monday's Council meeting because people will not be able to get home in time to watch the debate anyway. He asked what would happen to the TIFA district if the State were to buy the Victor building, or the D.S.S. building. He said Council should have pursued a study into the value of the Board of Water & Light back in 1991 when they met with the Board members to discuss the return on equity. He said this whole issue was just a show to divert attention from the Lansing Center. The nine hundred people who are employed by the Board of Water & Light did not deserve all of the static and uncertainty they had to deal with.

William Hubbell of 1128½ Cooper said that he does not think the time change of next week's meeting will work. They should reschedule the meeting to next Tuesday.

Mark Hammond of 3830 S. Waverly said he is glad to see that Council will no longer consider the sale of the Board of Water & Light, and he hopes that their decision not to sell arose out of consideration for the feelings and welfare of the public who opposed it. He said the City should study the Board to see why it is successful and the City is not. The City should ask the Board for advise on how to operate.

SPECIAL CEREMONIES

There were no Special Ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and the proper referrals be made by President Crawford

Carried unanimously

A. Letter from attorney's on behalf of their client, Mary Ann Ellis regarding a slip and fall accident she sustained at Clifford Park

REFERRED TO THE CITY ATTORNEY

B. Petition signed by twenty-six residents requesting the installation of STOP signs on both sides of Clifton Avenue at the intersection of Harding Ave.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

C. Petitions signed by three residents in support of the rezoning of 515 W. Hillsdale St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Withdrawal of rezoning petition Z-9-92, 300 Block of S. Francis St. by Jack Schafer, President, Farmington Auto Wash, Inc. at 2505

E. Kalamazoo

REFERRED TO THE MAYOR

E. Notice from the Department of Natural Resources of compliance by the City of Lansing with the final effluent limitations of the National Pollutant Discharge Elimination System (NPDES) Permit

REFERRED TO THE MAYOR

F. Notice from the Department of Natural Resources of application for a permit to construct in the Red Cedar River by the City of Lansing Parks and Recreation Department for Grand River Park

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

G. Petition signed by eleven residents in opposition to the rezoning of 515 W. Hillsdale St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

MAYOR MAY COMMENT

Mayor McKane outlined his three letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #542

October 12, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Frank V. Austin II
SIGN ERECTOR: Custom Signworks Plus, Inc.
TRANSFER SDD/SDM: F & A, Inc.

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmember of the Availability of Minutes from Council Proceedings of October 5, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Lansing Convention Task Force Appointees

RECEIVED AND PLACED ON FILE

2/ TO: Council Pres. James Crawford & City Councilmembers
FROM: Terry J. McKane, Mayor
DATE: October 7, 1992
SUBJ: Waste Prevention Week (October 19-24, 1992)

The attached resolution is forwarded with my concurrence for your review and appropriate action.

RESOLUTION #543

BY THE COMMITTEE OF THE WHOLE

WHEREAS, the State of Michigan faces rising waste disposal costs and dwindling landfill space; and

WHEREAS, the City of Lansing is committed to providing its citizens with cost-effective, environmentally sound solid waste management solutions; and

WHEREAS, each and every citizen should contribute to keeping the environment clean and healthful, and work together to preserve natural resources and reduce expenditure of tax dollars; and

WHEREAS, the City of Lansing has compared the costs of landfilling and the benefits preventing waste, and found the latter to be better; and

WHEREAS, the City of Lansing wishes to substantially reduce its waste stream through reducing waste at the source, reusing materials, and educating citizens and businesses about buying less wasteful products and packaging; and

WHEREAS, the State's Solid Waste Policy has set a goal of reducing at the source 8-12% of the waste stream and reusing 4-8% by the year 2005; and

WHEREAS, the City of Lansing recognizes the importance of raising community awareness about waste prevention alternatives;

THEREFORE, BE IT RESOLVED that the City of Lansing hereby declares the week of October 19-24, 1992, as Waste Prevention Week; and

BE IT FURTHER RESOLVED that the City of Lansing will continue to place the highest priority on source reduction and reuse as preferred solid waste management alternatives; and

BE IT FURTHER RESOLVED that the City of Lansing is committed to aggressively educating and supporting its citizens about waste prevention practices.

By Councilmember Benavides

Carried unanimously

3/ Site Reclamation Grant Agreement—Diamond Reo Project
Number 92050300

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #544

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the Mayor's letter on the elimination of the Department of

Labor Relations and concurrent reorganization of the Personnel and Training Department,

REPORTS AS FOLLOWS: The Committee reviewed this matter in detail with the Mayor, who projected the possibility of General Fund savings from this reorganization. The elimination of the department head position, combined with an anticipation of no upward classification changes for remaining employees, will hopefully offset any increase in charges for more frequent use of outside legal counsel on labor matters. The Committee recommends that the Council endorse the Mayor's reorganization.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

October 12, 1992

RESOLUTIONS

RESOLUTION #545

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Frederick W. Haller filed a claim against the City in the amount of \$346.00 to cover a charge by Lansing Mercy Ambulance for transport of the claimant's wife to the hospital on May 29, 1990; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim, saying the City should have dispatched a paramedic ambulance free of charge in response to his emergency call; and

WHEREAS, the Committee was informed that the Fire Department dispatcher, in accordance with standard procedure, determined that the claimant had called 911 because his wife was suffering from post-operative abdominal pain, that this circumstance did not constitute a medical emergency justifying dispatch of a paramedic ambulance, and that the claimant was informed that Lansing Mercy would be contacted to perform the transport at his expense; and

WHEREAS, the Committee recommends that the denial of this claim be upheld;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Frederick W. Haller; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

October 12, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #546

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee on Public Safety has interviewed William Tousley, the Mayor's appointee to fill an at-large vacancy on the Traffic Board, and found him to be well-qualified;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of William Tousley to the vacant at-large seat on the Traffic Board, for a term to expire June 30, 1993.

October 12, 1992

By Councilmember Schmidt

Carried unanimously

RESOLUTION #547

BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control order Number 92-036, which authorizes changing parking regulations to add a no parking zone on Pere Marquette Drive in the vicinity of the driveway to a private parking lot.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #548

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 92-037, which authorizes the installation of multi way stops at the intersection of Chatham Road and Holly Way.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #549

BY COUNCILMEMBER CANADY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on September 11, 1991 Mr. William Gray III added a new honor to his impressive list of achievements by assuming the position of President and Chief Executive Officer of the United Negro College Fund; and

WHEREAS, Mr. Gray's accomplishments include serving as pastor of the Bright Hope Baptist Church in Philadelphia for over twenty years, serving as faculty member and professor of history and religion at five different institutions of higher learning, and serving in the United States House of Representatives where he rose to the highest leadership rank of any African-American ever to serve in

Congress: and

WHEREAS, in the year since assuming leadership of the UNCF Mr. Gray has undertaken an ambitious fund-raising campaign, instituted a major effort to improve cost-efficiency, and implemented the process necessary to establish a UNCF research institute: and

WHEREAS, over the past seven years the Lansing community has raised over \$381,800 for the United Negro College Fund: and

WHEREAS, in 1992 Lansing Campaign Chairman Ronald Nichols, Director of Sparrow Hospital's Perinatal Center, hopes to increase Lansing contributions to the UNCF by almost \$14,000 over the 1991 level.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council does hereby acknowledge and pay tribute to Mr. William Gray's outstanding record of public service, and to his efforts in furthering the goals of the United Negro College Fund: and

BE IT FURTHER RESOLVED the Lansing City Council urges all Lansing residents to generously support the 1992 UNCF fund raising campaign by recognizing the UNCF motto—"A MIND IS A TERRIBLE THING TO WASTE".

By Councilmember Canady

Carried unanimously

RESOLUTION #550

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Neighborhood Watch #215 has requested City sponsorship for use of the showmobile on October 31, 1992: and

WHEREAS, the Committee has determined that this request will necessitate \$250 of overtime costs for the placement and removal of the showmobile on October 31: and

WHEREAS, in 1991 this request was accommodated by various councilmembers contributing \$25 each, with the balance being funded administratively: and

WHEREAS, the Committee recommends that the cost of this worthy program be covered by having each Councilmember contribute \$25, with the balance of \$50 funded administratively.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby waives the rental fee and security deposit relating to the use of the showmobile by Neighborhood Watch #215 on October 31, 1992: and

BE IT FURTHER RESOLVED that \$200 of the overtime cost will be funded by individual Councilmembers in the amount of \$25 each: and

BE IT FINALLY RESOLVED the Mayor is requested to identify an appropriate account to fund the balance of \$50 needed to support this request.

October 12, 1992.

By Councilmember Benavides

Carried unanimously

RESOLUTION #551

BY COMMITTEE ON WAYS AND MEANS

10/12/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$4,925.00 from Gen. Fd.—Fd. Bal.

A/C 101-000000-390001-00000

4,925.00 to Circuit Court Rental—Ctrl. Acct.

A/C 101-132220-745100-00000

(Additional funds to meet 50% City share for Circuit Court rental of the Towne Center Building.)

Submitted By:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

The following discussion was held prior to the passage of Resolution #552:

Councilmember Benavides noted that this resolution was being entered into with full knowledge, pledging the City's full faith and credit. If the revenues fall short at any time, the City will step forward and make up the difference. He stated his certainty that this would not happen. The TIFA should be able to take care of any emergency situation that comes up.

Councilmember Canady said that this has to be done for the issuance of the bonds. Anytime bonds are issued, the City must pledge full faith and credit whether it be for a TIFA, or for the Board of Water and Light. This particular situation is for a TIFA and there has never been a situation when a TIFA has defaulted and the City has had to pay. This is a formality. A cash flow analysis has been done and appropriate assumptions have been made. It was run with the assumption that Cut and Cap passes, it was run with the assumption that ~~Cut and Cap~~ does not pass, it was run with the assumption that the Grand View building will be on the tax rolls and run with the assumption that the Grand View building will not be on the tax rolls. It was run ~~under every~~ scenario that the financing fits. This matter will be paid by the TIFA. It will not come out of the General Fund. It is a formality to satisfy the bond requirements.

Councilmember Ford said that his questions regarding the possible consequence of buildings such as Grand View being removed from the tax rolls were answered by Councilmember Canady's comments.

RESOLUTION #552

RESOLUTION PLEDGING FULL FAITH AND CREDIT

At a regular meeting of the City Council of the City of Lansing, Michigan, held at 7:00 p.m., Michigan time, on October 12, 1992.

PRESENT: COUNCILMEMBERS BEAL, BELEN, BENAVIDES, BROCKWELL, CANADY, CRAWFORD, FORD, SCHMIDT

ABSENT: NONE

The following preamble and Resolution were offered by Member Belen and supported by unanimous ballot

WHEREAS the Tax Increment Finance Authority of the City of Lansing (the "Authority") has prepared and approved a Second Amended Development Plan and a Second Amended Tax Increment Financing Plan for the Phase II—Lansing Convention-/Exhibition Center and Associated Facilities Project pursuant to 1980 PA 450, as amended (the "Act"); and

WHEREAS, on October 7, 1992, the Authority adopted a Bond Resolution (the "Resolution") authorizing the issuance and sale of the Authority's Tax Increment Bonds in the aggregate principal amount of not to exceed \$25 million, at interest rates not to exceed seven percent and with a last principal payment date not later than October 1, 2004, for the purpose of defraying the costs of the development program set forth in the Second Amended Development Plan; and

WHEREAS, the Resolution contemplates the pledge by the City of Lansing of its full faith and credit for the prompt payment of the principal of and interest on such bonds as the same shall become due; and

WHEREAS, Section 15 of the Act authorizes the City Council of the City of Lansing to pledge such full faith and credit with respect to the principal of and interest on such bonds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing, as follows:

1. That the full faith and credit of the City of Lansing is hereby pledged for the prompt payment of the principal of and interest on the Tax Increment Finance Authority of the City of Lansing's Tax Increment Bonds authorized to be issued pursuant to the Resolution of the Authority adopted on October 7, 1992, which Resolution authorizes the issuance of an aggregate principal amount of not to exceed \$25 million, at interest rates not to exceed seven percent (7%) per annum, with a last principal payment date not later than October 1, 2004. In the event that the tax increment revenue received by the Authority pursuant to the above described plans shall not be sufficient to pay the principal of and interest on such bonds as the same shall become due, an amount sufficient to pay the deficiency shall be advanced by the general fund of the City of Lansing for such purpose.

2. The City Clerk is hereby directed to forward three certified copies of this resolution to the Secretary of the Authority.

3. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

By Councilmember Belen

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSTENTIONS: None

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

I, the undersigned, certify that the foregoing is a complete copy of a resolution adopted at a regular meeting of the City Council of the

City of Lansing, Michigan, held on the 12th day of October, 1992 and that the minutes are on file at the office of the City Clerk and are available to the public. Notice of the meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1967.

James Blair, City Clerk

RESOLUTION #553 **BY THE COMMITTEE OF THE WHOLE**

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has been approached by UtiliCorp United Inc. in regard to our willingness to consider an offer for the purchase of the Board of Water and Light; and

WHEREAS, the Mayor, in consultation with the City Council, has formed a special Advisory Committee to assess the overall economic benefits and potential for improving the quality of life of Lansing's citizens of such a potential sale; and

WHEREAS, both the Mayor and City Council are concerned with the continued financial health and vitality of the Board of Water and Light and the Board's continued ability to provide Lansing's citizens with high quality service at reasonable costs; and

WHEREAS, continuing discussions and incurring the cost of hiring experts with the expertise to measure the specific value of the Board of Water and Light will be costly and cannot be justified at this time; and

WHEREAS, the people of Lansing are deserving of a thorough analysis of the Board of Water and Light and a reporting as to the current and future operations of the Board of Water and Light and its continued ability to provide economical service into the future.

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council, in consultation and concurrence with the Mayor, sitting in regular session the Twelfth day of October, 1992, hereby discontinues any and all current discussions regarding the sale of the Board of Water and Light; and

BE IT FURTHER RESOLVED, that the Mayor is urged to continue the work of the Mayor's Advisory Committee on the future of the Board of Water and Light with a revised Mission Statement to focus on analyzing the current operations of the Board of Water and Light and its proposed operations over the next five years, and report its findings to the Mayor and City Council; and

BE IT FINALLY RESOLVED, that the City seek affordable alternative sources of assistance to the City as it works with the Board of Water and Light to assure the people of Lansing the best return possible on this outstanding asset.

By Councilmember Canady

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brock-

well, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

RESOLUTION #554

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 7:00 PM regular starting time of the October 19, 1992, meeting of this Council conflicts with the Presidential Debate being held at the Wharton Center on the campus of Michigan State University; and

WHEREAS, Councilmembers desire that regular viewers of Council meetings also be able to watch the debate, and prefer to change the starting time of the Council meeting;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby changes the starting time of the October 19, 1992, regular Council meeting from 7:00 PM to 5:00 PM; and

BE IT FURTHER RESOLVED the Clerk is requested to make all required notifications regarding this change.

October 12, 1992

By Councilmember Schmidt

To rescind the resolution

Defeated by the following vote:

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Crawford, Ford

NAYS: Councilmembers Belen, Schmidt

By Councilmember Canady

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Crawford, Ford

NAYS: Councilmembers Belen, Schmidt

RESOLUTION #555

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, to reduce the cost of City government, numerous City Executive, Exempt, Supervisory, Clerical and Technical positions will be eliminated by early January, 1993, due to early retirements, and

WHEREAS, it has been longstanding City policy to attempt to substitute technological solutions to reduce the cost of labor intensive tasks in City operations, and

WHEREAS, the City receives more than 44,000 weekly calls, many of which represent requests for routine information which could be answered at lower cost by utilizing "voice mail" technology, and

WHEREAS, a reduction of numerous positions could result in busy signals and delays when citizens attempt to call City offices, and

WHEREAS, such delays could be alleviated by substituting "voice mail" technology to respond to routine citizen inquiries, and ensure important messages are expediently routed to appropriate City

officials, and

WHEREAS, "voice mail" capability has been demonstrated to potentially improve the efficiency of internal communications among City personnel.

NOW, THEREFORE BE IT RESOLVED, that the City Council concurs with recommendation of the Mayor that \$78,500 in existing Capital Projects funding be utilized to purchase and install "voice mail" capability, and to train City employees in its use.

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There Were no Ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a letter from Vicki Torres regarding a problem with violation of the noise ordinance in her neighborhood

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

2/ From Councilmember Benavides a resolution regarding an automated voice mail system

HANDLED AS RESOLUTION #555

REMARKS BY THE MAYOR

Mayor McKane said that anyone not interested in watching the Presidential Debate Monday night may want to attend the appearance of the United States Marine Corp Band at Everett High School. Tickets can be obtained by calling 489-4277. Burger King coupons are still available to be passed out in place of perishable trick-or-treats for Halloween. Proceeds go to the Easter Seal Society. He announced street closings due to the Combined Sewer Overflow Project. He said he still has the urge to continue with the study of the Board of Water & Light.

REMARKS BY COUNCILMEMBERS

Councilmember Beal asked Mayor McKane for help on behalf of residents on Climax St. They had a problem when E. Main St. was closed and rerouted through their neighborhood. They experienced higher traffic levels which have torn up their street.

Councilmember Ford said he met with the residents of Glencoe Way and Meadow Lane to discuss Peckham Vocational Industries proposed residential care facility. He asked Councilmember Canady if this issue will be on the agenda for the Physical Development Committee meeting this week. Councilmember Canady said this committee is pretty backed up and they will not be able to deal with this issue until next week. Councilmember Ford volunteered to give him a list of names of the people who are concerned and would like to attend the committee meeting.

Councilmember Canady asked Mayor McKane to check into a house on Chadburne Drive that he reported to the Building Department for a trash violation. The trash has not been picked up yet.

Councilmember Benavides said that neighborhood groups and citizens do have the power to influence the way Councilmembers vote. A neighborhood watch chairman is the one who fought for

and won the installation of a stop sign at Chatham and Holly Way, even though the Traffic Board was in favor of denying the request.

Councilmember Brockwell announced a correction in the Committee Meeting Schedule. The Committee on Public Services will meet Wednesday at 9:30 A.M. not 9:30 P.M.

CITIZENS MAY COMMENT

Lloyd Teets 116 E. Elm said that he used to think the Board of Water & Light was the greatest thing since sliced bread, however, he has been attending their Board meetings. Mayor McKane and Members of Council have not. He bases his decisions on intelligent information and you have to dig to get it. He said if the Board is worth 400 billion dollars then the City is getting 1¼% return on equity. He is glad the Mayor has the urge to continue studying the Board. He said he is knowledgeable on this subject and can ask intelligent questions. This is not a simple issue. It is a complicated thing. He asked Mayor McKane to put him on the committee he is forming.

William Bernstein of 420 Baker Street protested his friends being denied their rights in Council Chambers. He said the public has asked more than once to have the time clock visible to them while they are speaking at the podium.

George Vasilco of 800½ E. Michigan Avenue asked Mayor McKane to check into kids who are pulling out the phone cords of pay phones on the corner of E. Michigan and Hosmer.

Mikeael Dikeman of 2158 Auburn asked Mayor McKane for assurance that the possible sale of the Board of Water & Light will not be brought up again.

William Hubbell of 1128½ Cooper Ave. said that he does not think term limitations will affect Councilmember accountability.

Douglas Fairbanks of 107 May St. said the Board of Water & Light does a fine job, and he supports the expansion of the Lansing Center. It will bring better things to the City.

Richard Collins of 225 Moores River Drive said that the first big victory for the group Citizens for a Better Lansing was when they taught Jim Blair and the Elections Commission how to count.

Paul Scott of 412 W. Kilborn spoke against the term limitations issue being pushed by CBL. He said the name of their group should be Citizens for a Stagnant Lansing. A lot of people wanted to see the facts about the Board of Water & Light become public. Privately owned utilities have their rates governed by the Public Service Commission. Publicly owned utilities are not controlled by the Commission. The interests of the tax payers of the City of Lansing could have been protected by the right wording on the ballot for the sale of the Board of Water & Light. He expressed his hopes that the advisory committee continues to look at this utility. This money could have made the difference for the City of Lansing that no other investor would have made. It could have changed the course of schools, parks and homes in the City.

Harold Leeman, of 529 N. Francis asked what the selling price of Terry Whitman's building would be. Council should have pursued the matter of the value of the Board of Water & Light last year. He said their General Manager received too many perks and the Administrative staff should be more friendly.

Fred McLaughlin of 222 W. Kalamazoo St. said that he does not have a touch tone phone and asked how he will get through to City offices. Council President Crawford informed him that callers who do not have touch tone phones will automatically be switched over to a real person.

ADJOURNED 9:20 P.M.

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

352

Proceedings, October 19, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
October 19, 1992

The City Council of the City of Lansing met in regular session at 5:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford

ABSENT: Councilmembers Ford and Schmidt (Councilmember Ford arrived 5:05)

The Invocation was led by Councilmember Brockwell and the Pledge of Allegiance was led by Sue Usiak's Third Grade Class from Mt. Hope Elementary School

MINUTES

By Councilmember Benavides

To approve the Printed Council Proceedings of September 28, and October 5, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a letter from Nancy Parsons of 500 N. Fairview and petition signed by 71 residents regarding problems they are experiencing with a house at 507 N. Fairview

2/ From Councilmember Beal a letter from Willie Davis, Jr., Ph.D. regarding elimination of the sale of "crack" cocaine in the Walsh Park area

3/ From Councilmember Benavides a financial impact statement and proposed resolution accepting Federal Grant Funds for the Metro Narcotic Squad

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-12-92, 5133 S. Dr. Martin Luther King, Jr. Blvd./Logan St. request to rezone from "D-1" Professional Office District to "F" Commercial District

Tom Hitch, Attorney representing Joyce Whitman who owns property across the street from 5133 S. Dr. Martin Luther King, Jr. Blvd./Logan St. asked Council not to approve the rezoning request. Use of the intended business (because of its' nature) would occur at all hours of the evening, increasing noise and traffic in an area that is already burdened by business at Metro Bowl and Deja Vu. He said the rezoning is not consistent with the master plan. City wide businesses and regional activities should be

located in other sites. They have collected petition signatures opposing this request that are on file in the Planning Department. Councilmember Canady informed Mr. Hitch that this matter will be taken up by the Committee on Physical Development at next week's meeting.

John Tilden, property owner at 5133 Dr. Martin Luther King, Jr. Blvd./Logan St. spoke in support of the request to rezone. He has practiced general surgery at this location since 1961. Property on three sides of this parcel is commercially zoned. He closed his practice in 1985 and the building has been empty for four years. The two applicants in this case are graduates of Michigan State University who want to operate an emergency service Veterinarian Clinic at this location. This is a good opportunity for use of this property that will not hurt the neighborhood.

John Hoshack, no address given, prospective owner of this property said there are probably a lot of other locations in the city that will fit the zoning needs, but they have financial restrictions that have to be considered also. He said that the animals that will be brought into the clinic are not well and will not make the usual level of noise. They will not contribute to any noise disruption in this neighborhood. They have generated the support of many of the Veterinarians in Lansing who think that this type of service is a good idea. Only one person responded negatively to letters they sent out canvassing the neighborhood.

Mark Williamson of 904 Smith Ave. also a prospective owner in this partnership, said they have received good support from the Veterinarian community. Detroit has nine clinics of this type and they have created no negative impact in their areas. In fact, they have created a positive impact on the needs of the pet owners and Veterinarians. The timing is good right now for this type of service. Practitioners are encouraging them. There will be no problem with noise for the surrounding residents.

Julie Hoshack, no address given, said that she understands the neighbors fear of barking dogs etcetera, however, you cannot hear dogs barking when they are inside a building. Add to that the fact that these dogs are going to be sick. The people who will be using this service are not like the clientele of Metro Bowl or Deja Vu. There will be no problem with drinking or rowdiness. People need places like this to go to when their pets are sick in the middle of the night.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. In consideration of Z-13-92, 500-600 Blocks American Road (West Side) request to rezone from "D-1" Professional Office District to "F" Commercial District

Dick Neller of 122 S. Grand Avenue spoke on behalf of Walter Neller Enterprises. They have requested this rezoning to make the use of the property more flexible. This property is located next to Sam's Wholesale Club and has commercially zoned property on both sides of it. The rezoning will increase the opportunity to find

worthwhile development for this parcel. Councilmember Canady said this matter will be dealt with next week by the Physical Development Committee.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

C. In consideration of Z-14-92, 5001 N. Grand River Avenue & 3300 Block of Sheffer Avenue (West Side) request to rezone from "A" Residential District, "E-2" Local Shopping District and "J" Parking District to "F" Commercial District

There were no speakers for this Public Hearing

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke regarding the resolution accepting grant funds from the Michigan Department of Natural Resources for Site Reclamation of the Diamond Reo property. The City, he said, has already spent \$10,000,000 cleaning up this site and now they are going to spend \$2,000,000 more. Then we will sell the property for a 60 to 80% discount. A prime corner of the property was sold to Lansing Sanitary Supply. Why are we cutting this land up and selling it in parcels. We should wait until we get someone interested in buying the entire property and turning it into an asset. We need to reexamine how this land is being split up, and we should not spend money to put in a cul-de-sac to serve one business.

Douglas Fairbanks said he likes the new time slot. Council should meet at this time every week.

SPECIAL CEREMONIES

There are no Special Ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and the proper referrals be made by President Crawford

Carried unanimously

A. Letter from Attorney's on behalf of their client Marillyn Douglas for an accident she experienced while driving on US 127 north of the Dunckel/Jolly Rd. exit on June 14, 1992

REFERRED TO THE CITY ATTORNEY

B. Letter from Attorney's on behalf of their Client Michael Combs for an accident he experienced on Northbound Larch St. (U.S. 27) north of Grand River Ave. on August 16, 1992

REFERRED TO THE CITY ATTORNEY

**EXECUTIVE ASSISTANT TO
THE MAYOR MAY COMMENT**

Mr. Boyd said all of Mayor McKane's letters on tonight's agenda are extremely routine and need no comment.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action

on licenses and bonds:

1. RESOLUTION #556

October 19, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Unicorn Tavern

POOL ROOM/BOWLING ALLEY: Pro Bowl Inc., Lansing
Recreation Center, Hall of Fame Billiards

PUBLIC DRIVER: Leslie Pierce, Douglas Wood, Frederick McCarrick

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 12, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting Financial Statements and Independent Auditors' Report for City of Lansing 54-A District Court for Year Ended June 30, 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Letter from the City Clerk submitting Financial Statements and Independent Auditors' Report for the City of Lansing Sewage Disposal System Fund for Years Ended June 30, 1992 and 1991

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. Letter from City Clerk submitting Financial Statements and Independent Auditors' Report for the City of Lansing Building Authority for Years ended July 30, 1992 and 1991

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. Letter from the City Clerk submitting Financial Statements and Independent Auditors' Report for the City of Lansing for Year Ended June 30, 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. Letters from the Mayor re:

1. ACT-29-92, 151 Garden Street

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

2. ACT-30-92, Lansing Avenue Lots

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

3. Resolution for Extension of Sewer Service in Lansing Township

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #557

BY THE COMMITTEE ON WAYS AND MEANS

TO WHOM WAS REFERRED: The Audit Report of the Greater Lansing Convention/Exhibition Authority for the fiscal year ending June 30, 1992, and 1991.

REPORTS AS FOLLOWS: Internal Audit presented a financial analysis of the audited FY92 and FY91 annual financial statements of the Authority. Representatives of the Audit firm of Deloitte Touche presented information on their audit methodology and noted that they had issued a positive audit opinion which stated—*In all material respects, the financial statements of the Authority were presented fairly in accordance with generally accepted accounting principles.* There were no audit exceptions per the management letter.

The following information pertaining to the financial analysis was noteworthy:

The Authority's internally generated revenues increased 12.2% between FY92 and FY91. This was mainly due to the assumption of the food service function and compensated for the downturn of other revenues. Expenses during the same period were up by 5.2% which was less than half the increment of their revenues. In spite of a \$25,000 decrease in subsidy and an over \$15,000 decline in interest income, Net Loss of \$58,668 for FY92 was down from the \$77,178 Net Loss of FY91. The Authority generated sufficient revenues to cover about 70% of expense. Subsidy as a percent of total revenue continued to decline to 28.6% in FY92 down from 31.6% in FY 91 and 38.5% in FY90. The Authority has advanced slightly toward self-supportability.

The only adverse trend was the continued decline in equity which was primarily a reaction by the Authority to decline in subsidy. Due to City financial constraints, the Authority is having to rely less on City subsidy and more upon its own resources. However, in spite of this second consecutive year decline in retained earnings, because of reserves generated in prior years, the financial condition of the Greater Lansing Convention/Exhibition Authority remains good.

Signed: Tony Benavides
Robert Brockwell
Alfreda Schmidt

BY COUNCILMEMBER TONY BENAVIDES:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #558

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on October 24, 1992 the General Assembly of United Nations will celebrate 47 years of dedicated service to the people of this planet earth; and

WHEREAS, throughout these 47 years the United Nations has significantly advanced the causes of civil liberties and human rights including the rights of children, environmental concerns, and international peace and security; and

WHEREAS, with the recent demise of the cold war the United Nations has an unprecedented opportunity to realize the 1945 promise of worldwide peace, liberty, and democracy; and

WHEREAS, the City of Lansing will join over 1,000 communities throughout the country in commemorating the 47th anniversary of the General Assembly of United Nations, with local activities commencing on October 23 at 10:00 A.M. with a flag-raising ceremony in the City Hall Plaza, followed by a dinner at 6:00 P.M. in the Prudden Room of the Civic Arena, and concluding on October 24 with a display of international booths and exhibits in the Frandor Shopping Center between the hours of 10:00 A.M. and 4:00 P.M..

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby salutes the achievements of the United Nations over the past 47 years, and encourages all Lansing residents to participate in the local observance of United Nations Day.

By Councilmember Benavides

Carried unanimously

RESOLUTION #559

BY COUNCILMEMBER MARK CANADY

WHEREAS, the Lansing City Council on February 10, 1992, authorized the Administration to apply for a grant through the Michigan Department of Natural Resources Site Reclamation Grant and Loan Program in the amount of \$2 million, for the purpose of financing further groundwater remedial action on the Diamond Reo Site by Council Resolution #076; and

WHEREAS, the Michigan Department of Natural Resources has approved said grant application and has submitted the Site Reclamation Grant Agreement to the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute said Agreement on behalf of the City of Lansing upon approval as to form by the City Attorney.

By Councilmember Canady

To dismiss the Committee on Physical Development on this item

Carried unanimously

By Councilmember Canady

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #560

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Paul J. Pavlica filed a claim against the City in the

amount of \$340.60 in protest of a special assessment against his rental property located at 1412 Knollwood for failure to comply with notice of a trash violation; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, the Committee found that the City Building Safety Division followed proper procedure on the violation notice, subsequent reinspection, and authorization to the City's contractor to complete the trash cleanup, resulting in a valid special assessment, and the Committee recommends that the appeal be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Paul J. Pavlica; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

October 19, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #561

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Tina L. McClung filed a claim against the City in the amount of \$231.40 as reimbursement for repair of damage to her personal vehicle allegedly caused by a golf ball hit from Groesbeck Golf Course; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council; and

WHEREAS, the Committee on General Services reviewed the claim and recommends that the appeal be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Tina L. McClung; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

October 19, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #562

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 218 Smith Ave., legally described as:

3301 21 380 062

E 44 ft. of S. 122 Ft. Lot 7, Block 16, Park Place

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 27, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 12, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 19, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #563

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2217 Rheamont Ave., legally described as:

3301 03 376 302

Lot 78 & S 1/2 Lot 79, Park Manor Heights

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 27, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 12, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 19, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a letter from Nancy Parsons of 500 N. Fairview and petition signed by 71 residents regarding problems they are experiencing with a house at 507 N. Fairview

REFERRED TO THE MAYOR

2/ From Councilmember Beal a letter from Willie Davis, Jr., Ph.D. regarding elimination of the sale of "crack" cocaine in the Walsh

Park area

REFERRED TO THE MAYOR

3/ From Councilmember Benavides a financial impact statement and proposed resolution accepting Federal Grant Funds for the Metro Narcotic Squad

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Councilmember Schmidt from tonight's proceedings

Carried unanimously

REMARKS BY THE MAYOR

Mr. Boyd announced that Michigan Avenue will be closed for a short time this evening to allow passage of President Bush's motorcade en-route to the Presidential Debate at Michigan State University's Wharton Center. He told Mr. Teets that the cul-de-sac will not be built on Reo property until there has been development that calls for the use of it.

REMARKS BY COUNCILMEMBERS

Councilmember Beal reported a trash problem at 615 Isbell. She asked the Mayor's Office to look into the situation. The owner is deceased, perhaps the city can have this cleaned up and add the charge to the property tax assessment. She reported that last Friday she, along with staff member Greg Koessel and other Councilmembers went to Columbus, Ohio to tour their municipal market, it was very impressive. They video taped the tour of the facility and it is available for viewing.

Councilmember Brockwell said he got a call from the woman that lives next door to 615 Isbell. He contacted a code compliance officer who has already written an order on this property. He offered to follow up on it.

Councilmember Ford asked Councilmember Canady to notify him when the Physical Development Committee deals with the matter of a residential care facility for Peckham Vocational Industries. This is a time sensitive matter and needs action by a week from this Thursday. Councilmember Canady assured him that the Committee on Physical Development will deal with this issue one week from this Thursday.

CITIZENS MAY COMMENT

Susy Cook-Stark of 1147 S. Washington stated her frustration and anger over the activities of the clients of the Community Service and Referral Center. They urinate in public, sell drugs on the premises of the Center and prostitute themselves in the basement of the Center. This has destroyed the business district on S. Washington. Ninety-five percent of the people in this district now are active criminals. One hundred fifty people a day do drug deals there. The United Way, Board of Water & Light, and Department of Social Services have all pulled their funding out of the center. Why doesn't the city care enough to get the center out of there? Council has the power to do this. Councilmember Benavides responded that Mayor McKane has taken this situation very seriously and has had many meetings with the community. He is not sure how much

Council can do unless the building is unsafe or does not meet code. If there are any illegal activities going on, the Police Department can go in and close the building. Councilmember Canady confirmed that Mayor McKane is looking very closely at this. He believes that action will be taken in the near future. Councilmember Ford recalled that during budget negotiations they authorized funds to put a Community Policing Officer over there. Mr. Boyd said he cannot speak to this issue today. They have done what they can to pull the funding but there are residual funds that have not been completely used up. Police Chief Boles is aware of the illegal activity at the Center and is trying to stop it at this time. Council President Crawford promised Mrs. Cook-Stark that they will be in touch with more information for her.

Lloyd Teets of 116 E. Elm St. said he lives 1½ blocks from the Center and has confirmed Mrs. Cook-Stark's reports of illegal activity at the Community Service and Referral Center. This is no way to run a social agency. They have no respect for people or property. He corrected comments he made regarding the rate increase for the Board of Water & Light last week. The rates will raise 13% in the next three years. He said no one responded to his offer to take donations of any amount and pay 1½% interest on them. His offer still stands. Council should have found the \$100,000 to finance the study of the worth of the Board. He accused them of being afraid to find out it is not worth as much as it should be because of mismanagement.

Douglas Fairbanks of 107 May St. suggested that the City put in a Police Mini-Station next to the Community Service and Referral Center, or else, bulldoze it down.

ADJOURNED 6:00

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

358

Proceedings, October 26, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
October 26, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation was led by Councilmember Schmidt and the Pledge of Allegiance was led by Scout Troop #417 from St. Casimir Church

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1 / From Councilmember Schmidt a recommendation of approval from the City Clerk's Office for Transfer of a SDD and SDM Liquor License for Garb-Co. Inc.

2 / From Councilmember Beal an unsigned letter regarding parking for handicapped individuals between the hours of 2:00-5:00 a.m.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-16 92, 4305-4311 S. Cedar St. request to rezone from "A" Residential District "F" Commercial District, and "J" Parking District to "D-1" Professional Office District

Judith Stegman of 1840 Sun Hollow, Haslett petitioner in this case, stated her availability to answer questions. She said that she talked to the neighbors in this area and they all seemed to be in favor of the rezoning. Councilmember Canady informed her that this issue would be dealt with at the Physical Development meeting this Thursday at 3:00 p.m.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

B. In consideration of SLU-14-92, 1825 Sunset Avenue request for special land use to develop off-street surface parking lot

There were no speakers for this Public Hearing

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

PUBLIC COMMENT

Lloyd Teets of 116 East Elm St. said that no one in the city is a stronger supporter of the Community Policing Program than he is. He asked for more information about the resolution accepting a

grant for Community Police Officers on tonight's agenda. How many Community Policing Officers will this \$411,017.00 pay for? What fiscal year is the grant for? Council seemed surprised last week to find out that the Community Policing Officer they approved in budget negotiations for the S. Washington neighborhood was never implemented. The Police Chief, he said, over ruled their decision. Community Policing Officers only work really well in a strong neighborhood that will help them. He asked Council to give his neighborhood their officer and make the Police Chief stick to it. He said the Chief admitted to him that he assigned the officer to a neighborhood that was worse off. He does not believe the Chief has the authority to do this. Councilmember Brockwell responded to Mr. Teets charges that the Chief of Police usurped their authority in regards to the Community Policing Officer for the South Washington neighborhood. After Council approved funding for an Officer for their neighborhood they learned that the neighborhood did not meet the criteria to qualify for one under Community Development Block Grant funds.

SPECIAL CEREMONIES

A. Mayor McKane presented a certificate of recognition to Ms. Tracey Keyton, an employee of the Parks and Recreation Department, stationed at Kingsley Community Center. Mayor McKane highlighted her career at the Center and thanked her for her efforts on behalf of the community. Ms. Keyton thanked God, her mother, father, sisters, and brothers for the support they give her and making sure she is able to be there for all people. She thanked her mentor, James Hoy, Jr., the Parks and Recreation Department and the Kingsley Community Center.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Claim of Claude C. Rodgers of 1508 W. Kalamazoo St.

REFERRED TO THE CITY ATTORNEY

B. Letter from Governor John Engler requesting support for his "Social Contract" between welfare clients and their communities

REFERRED TO THE MAYOR

C. Letter from Mel & Carol Place regarding the Anchor Transport property at the corner of Mt. Hope Ave. and Boston Blvd.

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor McKane outlined his four letters on tonight's agenda, thanked Councilmember Brockwell for his donation towards Zoo passes, and then turned his attention to item number VIII C.,

communication from Mel and Carol Place regarding the Anchor Transport property at the corner of Mt. Hope Ave. and Boston Blvd. He stated that his church, Grace United Methodist, bought this property. After they purchased the property they discovered that it had 11 underground storage tanks on it, some or all of which have leaked contamination into the soil over the years. They qualified for MUSTFA funds (Michigan Underground Storage Tank Financial Assistance) and have spent \$10,000 of church funds on site cleanup. They are seeking bids to remove the garage on the lot which does not qualify for state funding. It has asbestos in it and must be removed in a special way. They are cleaning up the contaminated ground soil, but it must be disposed of properly. It cannot just be dumped somewhere. The soil must be dug out and placed in a specially designed pit and replaced with clean soil. The storage pit for the contaminated soil must be lined and equipped with an air filtration system to clean the contamination from the soil. After the cleaning process is complete and the church receives closure from the State, they intend to sell the property for development into a senior citizens apartment complex. He said the church has built a 'youth center' in one of the buildings on the property, and hopefully, that is where the reports of children playing on the property are coming from. Councilmember Benavides said that he went over to investigate this complaint and was able to drive his car onto the property. The fence was down around one of the excavated pools, and would seem to indicate the need for danger signs to be put up there. The dirt that was excavated used to be covered with sandbags and plastic. The plastic and sand bags are gone and grass is growing on the dirt. The neighbors want to know if the rain washes this contamination onto other people's lawns and they feel that the City may be liable for part of the clean-up. He suggested that the church make an effort to inform the neighborhood as to what is being done.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #564

October 26, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

BUILDING WRECKER: Rhode Bros. Excavating, Inc.

PUBLIC DRIVER: Terence West

TRANSFER CLASS C: Genuine Italian, Inc.

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To approve the licenses for Building Wrecker to Rhode Brothers Excavating, Inc. and the Public Driver License to Terence West, and to refer the Transfer of Class C Liquor License for Genuine Italian, Inc. to the Committee on General Services

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmember of the Availability of Minutes from Council Proceedings of October 19, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Z-5-92, 118-122-124-126 North Eighth Street

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3/ Z-19-92, 122 East Michigan Avenue and ACT-08-92, 1200 Block East Michigan Avenue

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4/ Sole Source Procurements—Third Quarter 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #565

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the public notice from the Michigan Department of Natural Resources regarding the City's application for a permit to replace the existing concrete boat ramp on the Red Cedar River,

REPORTS AS FOLLOWS: The Committee noted that the paperwork filed as part of the subject application listed the project location as Grand River Park, 3205 Lansing Road, while the body of water was identified as the Red Cedar River. The Committee recommends that the Mayor direct that the paperwork be corrected wherever necessary, since Grand River Park is on the Grand River.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

October 26, 1992

RESOLUTION #566

October 26, 1992

Z-7-92

3405 South Cedar Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-7-92 at 3405 South Cedar Street to be rezoned from "A" Residential District to "F" Commercial District

reports as follows:

That said zoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

RESOLUTION #567

October 26, 1992

Z-8-92

515 West Hillsdale Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-8-92 at 515 West Hillsdale Street to be rezoned from "DM-4" Residential District to "D-1" Professional Office District

reports as follows:

That said zoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

RESOLUTION #568

October 26, 1992

Z-10-92

North of 131 Regent Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-10-92 north of 131 Regent Street to be rezoned from "J" Parking District to "DM-3" Residential District

reports as follows:

That said zoning be approved.

SIGNED: Mark H. Canady
Lucile Belen
Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

RESOLUTIONS

RESOLUTION #569

BY COUNCILMEMBER SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan Office of Services to the Aging recently recommended a plan to increase dollars available for direct service delivery to seniors by reducing administrative costs statewide; and

WHEREAS, the recommended plan sought to achieve this goal by

reducing the number of Planning and Service Areas (PSAs) from 14 to 7, while concurrently adding a middle tier of agencies designated in the plan as Aging Service Access Points; and

WHEREAS, while the Lansing City Council strongly supports and endorses the goal of providing additional service dollars by reducing statewide administrative costs, the Council is concerned that the recommended plan may result in the dismantling of local service providers and in confusion to seniors regarding the revised roles of the various agencies; and

WHEREAS, The State Commission on Aging has listened to the local concerns and has now withdrawn from consideration the plan recommended by the State Office on Aging.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council applauds the Commission's decision to withdraw the recommended plan; and

BE IT FURTHER RESOLVED the City Council believes that the admirable goal of reducing administrative costs will best be achieved not by dismantling current service delivery systems but by recognizing, and building upon, these systems and their relative availability between the current Planning and Service Areas throughout the state; and

BE IT FINALLY RESOLVED that the City Clerk submit a certified copy of this resolution to Governor Engler, the State Commission on Aging, State Senator Stabenow, and State Representatives Hollister and Byrum.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #570

By the Committee on Physical Development

WHEREAS, the Charter Township of Lansing has requested sanitary sewer service be provided to the following address:

The East 75 feet of the west 89 feet of the south 180 feet of Lot 27 Supervisor's Plat of Bailey Acres subdivision

Parcel E of the property survey for lots 37-45 of Supervisor's plat of Bailey Acres, being part of the south ½ of Section 18, T4N-R2W, Lansing Township.

WHEREAS, it appears to the Township and the City that an extension of such service will be of mutual benefit to both parties.

BE IT RESOLVED that the extension of sewer service to the addresses as indicated here in is hereby approved subject to the following conditions:

1. The Township, shall submit the following data:
 - A. The legal description of the area to be served;
 - B. Anticipated maximum sewage flow;
 - C. The name(s) of the owner(s) of record of all parcels of land located within said area and the name of the developer of said land, if the identity of the developer is known and is not an owner;
2. Prior to the award of any construction contracts or the issuance of required permits, the Township shall submit to the City a "Utility Equity Investment Fee". Said fees are \$4,096.05 per acre and shall be revised on July 1 of each year. Said Utility Equity Investment Fee

shall be computed on the basis of the formula and method as determined by the Finance and Public Service Departments.

3. The City of Lansing will not participate in any costs for the extension of sanitary sewers or appurtenances, right of ways required, or legal, engineering and inspection fees.

4. The City shall not be responsible for any costs of construction or maintenance of the individual house leads from the user's building to, and including the connection with the sewer main located in the street or within a sewer easement.

5. In the case of borderline streets, where the City has previously constructed a sanitary sewer, connections will be allowed, subject to the payment of the utility equity investment fee and payment of the assessment cost as previously paid by residents of the City, and subject to all other provisions of this agreement.

6. A permit from the Department of Public Service from the City of Lansing shall be obtained prior to any sanitary sewer construction work. Detailed plans and specifications prepared by a registered Engineer shall be submitted to the Lansing City Engineer for review and approval prior to issuing the sanitary sewer construction permit.

7. If at all practical all sewer lines shall be placed in street Right of Way. If easements across private property are required, the Township shall acquire same at Township expense and in the name of the Township. Said easements shall be assigned to the City of Lansing, for the purpose of constructing and maintaining sanitary sewer system. All easements shall be properly recorded.

8. Upon completion of construction of sewers built, and prior to placing said system in use, satisfactory evidence shall be submitted to the City Engineer that the plans and specifications have been fully complied with and that the sewers may be placed in service. Upon submitting such evidence as may be required by the City Engineer, he/she shall, within thirty (30) days thereof, issue a letter of acceptance to the Township, and the City will then accept the system for maintenance and the sewage for treatment.

9. Permits for all connections to the main sewer will be required to assure that adequate records are maintained. Permits shall be issued by the Department of Public Service of the City of Lansing, prior to Lansing Charter Township issuing a building permit.

10. The Department of Public Service of Lansing shall maintain all records pertaining to the extension of services. The Department of Public Service of Lansing shall also provide all necessary forms or permits.

By Councilmember Canady

Carried unanimously

RESOLUTION #571
PUBLIC IMPROVEMENT I

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing that it is hereby determined to be of a public necessity to construct sanitary sewer in Renee Street from Jolly Road to Midwood Street.

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners,

and that the City's share from account #590-453670-973000-20100.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

By Councilmember Canady

Carried unanimously

RESOLUTION #572
ACT-25-92
408 E. KALAMAZOO

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Christman Company has requested the City provide an easement on City owned land which is currently used as a part of the parking lot for Christman Company; and

WHEREAS, the parking lot design and layout was approved in 1988 by the City as a result of its Site Plan Review process; and

WHEREAS, the Planning Board has reviewed this request under the provisions of ACT 285 of Michigan Public Acts of 1931, and concluded that the requested easement should be approved. Also, the Board recommended that the City obtain in exchange for this easement a 20 ft. easement on top of the river bank from Christman Company extending six (60') ft, +/- north of the City owned land in this same location; and

WHEREAS, the Physical Development Committee of City Council has reviewed the matter, and concurs with the recommendations of the Planning Board; and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Lansing approves the Christman Company request for the easement on the amount of land occupied by their parking lot;

FURTHER BE IT RESOLVED that the administration be authorized to obtain an easement from Christman Company on the top of the riverbank, north of the City's land in this area in exchange for the granting of the parking lot easement awarded to Christman Co.

By Councilmember Canady

To amend the resolution by amending the fifth paragraph to state that the City Council approves the request for the easement subject to approval by the Waterfront Development Board

Carried unanimously

By Councilmember Canady

To adopt the resolution as amended

Carried unanimously

RESOLUTION #573
ACT-29-92
151 GARDEN STREET

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, Mr. David Powell, owner of 151 Garden Street

requested an easement to construct a new driveway along the east side of this property; and

WHEREAS, the Planning Board conducted a review of this request under the provisions of ACT 285 of Michigan Public Acts of 1931, and determined that an easement would be unacceptable due to the requirements of the Public Service Department.

WHEREAS, the Planning Board unanimously recommended that a permit for use of a driveway access across a portion of the City owned land in accordance with a development plans for the site that is acceptable to the Public Service Department; and

WHEREAS, the Council Committee on Physical Development has reviewed this request and concurs with the Planning Board's recommendation.

NOW, THEREFORE BE IT RESOLVED that the City Council denies the request for an easement, but authorizes the Public Service Department to issue a drive access permit to Mr. Powell for 151 Garden Street.

By Councilmember Canady

Carried unanimously

RESOLUTION #574

ACT-32-92

PINE TREE ROAD—PARCEL 'D'

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS the Stockwell Real Estate Group has requested to trade certain parcels of land with the City of Lansing to improve the development and function of land uses; and

WHEREAS the proposed land exchanges include the following:

Phase #1

The City of Lansing to convey to Stockwell Real Estate Group, Inc., or its assignee, a strip of land 50 feet by 1,500.11 feet (75,005 square feet). In exchange, Stockwell Real Estate Group, Inc. to convey in fee to the City of Lansing two 66 feet by 242 feet strips for roadway use. These strips contain 31,900 square feet. The strips would be subject to a 20 feet wide easement for storm drain. It should be noted that the 20 feet wide easement for storm drain is proposed for drainage of the proposed plat and not for the 38 acres. There can be a separate easement across lot 9 or 10 to provide drainage access from the 38 acres to Banta Drain. Also, the 66 feet wide strips would be subject to access easements from the abutting lots for future driveway purposes. It should be made clear that Stockwell Real Estate Group, Inc. or the abutting lot owner would not be responsible for construction costs of a street on these 66 feet wide access strips.

Phase #2

The City of Lansing to convey to Stockwell Real Estate Group, Inc., or its assignee, its present 100 feet of access by 242 feet (24,200 square feet). In exchange, Stockwell Real Estate Group, Inc. would convey to the City of Lansing the easterly 285 feet of proposed lot 10 containing 67,250 square feet. For the most part, this area is well above the drain and would provide for an additional lot in any development of the City's parcel. Also, conveyance of the center position of proposed lot 10 could be conveyed to the City subject to an easement over the entire 46,000 square feet for water retention

purposes. This would allow a future developer of the City's parcel to expand the retention basing to service the total 48.5 acres.

WHEREAS the Lansing Planning Board has reviewed this request under the provisions of ACT 285 of Michigan Public Acts of 1931, as amended, and unanimously recommended the City exchange parcels of land as requested by the Stockwell Group. It also is recommended that City Council hold a public hearing on this proposal, and require final legal descriptions for the parcels from the Stockwell Group.

WHEREAS the Committee on Physical Development has reviewed the recommendations of the Planning Board and concurs with their recommendations; and

WHEREAS the City Council held a public hearing on the proposed land exchange with the Stockwell Group on Monday, October 5, 1992, and there were no derogatory comments regarding the proposal; and

NOW THEREFORE BE IT RESOLVED that the City Council approves the proposed exchange of land with the Stockwell Real Estate Group as described in the above phasing plan, and the administration be authorized to market the remaining land known as Parcel "D";

ALSO BE IT RESOLVED that the Stockwell Group provide the resulting surveyed legal descriptions for each parcel exchanged;

FINALLY, BE IT RESOLVED that this resolution is to take affect two weeks after the public hearing on October 19, 1992.

By Councilmember Canady

Carried unanimously

RESOLUTION #575

ACT-35-92, 111 E. Willow

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, Belen Realty has offered to sell the property at 111 E. Willow to the City of Lansing; and

WHEREAS, the Planning Board has reviewed this offer under the provisions of ACT 285 of Michigan Public Acts of 1931, and unanimously recommended that the City purchase the land and structure in order to preserve an architecturally significant residence, increase the City's holdings and control of river frontage, potentially to increase home ownership and obtain a significant utility easement across the property.

WHEREAS, the Physical Development Committee of City Council concurs with the Planning Boards recommendation; and

NOW THEREFORE BE IT RESOLVED that the City Council approves the acquisition of 111 E. Willow Street for future disposition to a non housing group and reservation of river frontage and utility easements for public use;

FURTHER BE IT RESOLVED that the administration is authorized to negotiate a final sale to the public's benefit and make the appropriate recordings of final actions;

AND FINALLY BE IT RESOLVED that the environmental audit of the site be made prior to consummation of the sale transactions.

By Councilmember Canady

Carried unanimously

RESOLUTION #576 a,b,c

BY COMMITTEE ON WAYS AND MEANS

10/26/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$2,159.00 from Gen. Admin.-Bgt. Ctrl.

A/C 101-173901-992200-00000

2,159.00 to Pol.-Bgt. Ctrl. A/C 101-343201-992200-00000

(Installation of AT&T Language Line Service for 911 Emergency Center and purchase of "Point Talk" cards for patrol unit use, as a result of recommendations from Torres' Ad Hoc Committee. (\$1,349; AC# 101-343230-744200-0) (\$810; AC #101-343251-741000-0)

\$22,483.00 from Forf.-Est. Rev. A/C 265-000000-170001-00000

22,483.00 to Forf.-Bgt. Ctrl. A/C 265-343253-992200-00000

(Extension of Street Level Enforcement Grant for REACH operations includes three new P.O. I positions and medical benefits for contract personnel. Total of matching funds required in excess of original budget appropriation.)

\$3,523.00 from Est. Rev. A/C 101-000000-170001-00000

3,523.00 to Cap. Imp. Prog.-Bgt. Ctrl.

A/C 101-933901-992200-00000

(Ballfield team fees collected through 9-28-92, to be spent on ballfield improvements. To memo acct. 101-933890-970000-13023. In accordance with City Council resolution of Nov. 3, 1986, to earmark a portion of team registration fees for field improvements.)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

To approve the \$2,159.00 transfer to the Police Department Budget Control (Resolution 576a)

Carried unanimously

By Councilmember Benavides

To approve the \$22,483.00 transfer to Forfeiture Budget Control (Resolution 576b)

Carried unanimously

By Councilmember Benavides

To approve the \$3,523.00 transfer to Capital Improvements Program (Resolution 576c)

Carried unanimously

RESOLUTION #577

BY THE COMMITTEE ON WAYS AND MEANS RESOLVED

BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Criminal Justice for Drug Apprehension and Forfeiture Program in the Spring of 1987; and

WHEREAS, the City, as the grantee, submitted an application for apprehension and forfeiture grant funds for the Tri-county Metro Narcotics Squad; and

WHEREAS, recently, the City has been advised that a grant in the total amount of \$398,799.00 (Federal Share \$239,279.00, Local Match \$159,520.00) has been approved; and

WHEREAS, the matching funds have been reserved in the Squad's asset and seizure account and these funds will be utilized for the match of \$126,088.00, Michigan State Police funds will be utilized for the match of \$33,432.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of Federal Grant Funds in the amount of \$398,799.00 for a Drug Apprehension and Forfeiture Program.

By Councilmember Benavides

Carried unanimously

RESOLUTION #578

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Criminal Justice for Street Level Drug Apprehension in the Spring of 1990; and

WHEREAS, the City, as the grantee, submitted an application for Neighborhood Problem Solving grant funds for the Lansing Police Department's R.E.A.C.H. Team, including expansion of Community Policing and legal services through the City Attorney's Office; and

WHEREAS, recently, the City has been advised that a grant in the total amount of \$411,017.00 (Federal Share \$308,264.00, Local Match \$102,753.00) has been approved; and

WHEREAS, the matching funds have been reserved in the R.E.A.C.H. asset and seizure account, and that these funds will be utilized for the match of \$102,753.00; and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approve acceptance of Federal Grant Funds in the amount of \$411,017.00 for a Street Level Narcotics Enforcement Program.

By Councilmember Benavides

Carried unanimously

RESOLUTION #579

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ele's Place, Inc., has requested a resolution of recognition as a non-profit organization serving the Lansing community; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes Ele's Place, Inc., as a non-profit organization serving the Lansing community.

October 26, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #580

October 26, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

TRANSFER SDD: Garb-Ko, Inc.

TRANSFER SDM: Garb-Ko, Inc., d/b/a/ 7-Eleven Food Stores, #36

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

ORDINANCES FOR INTRODUCTION

October 26, 1992

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-20-92—Two block area bounded by Allegan, Pine, Washtenaw and Walnut Street

To be rezoned from "DM-3" Residential District and "F" Commercial District to "G-1" Business District was introduced by Councilmember Canady, read a first and second time by their title and referred to the Committee on Physical Development.

RESOLUTION #581

October 26, 1992

By Councilmember Canady:

Resolved by the City Council of the City of Lansing, Michigan that a public hearing be set for Monday, November 23, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-20-92, Two block area bounded by Allegan, Pine, Washtenaw and Walnut Streets to be rezoned from DM-3 Residential District and F Commercial District to G-1 Business District.

By Councilmember Canady

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER CANADY:

That we move to the passage of ordinances.

BY COUNCILMEMBER CANADY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-07-92—3405-3405½ S. Cedar Street be rezoned from "A" Residential to "F" Commercial Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-07-92—3405-3405½ S. Cedar Street be rezoned from "A" Residential to "F" Commercial Office District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #02344

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-7-92, 3405-3405½ South Cedar Street

Parcel Number: 3301-33-226-001

Legal Description: Lots 1 and 2 of Edwards Glendale Heights Subdivision, City of Lansing, Ingham County, Michigan From "A" Residential District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR, CITY CLERK

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of

property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-08-92—515 W. Hillsdale Street be rezoned from "DM-4" Residential to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-08-92—515 W. Hillsdale Street be rezoned from "DM-4" Residential to "D-1" Professional Office be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #02345

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-8-92, 515 West Hillsdale Street

Parcel Numbers: 3301-16-361-181 and 3301-16-361-191

Legal Description: The west 2 rods of Lot 1, Block 162, Original Plat, together with the east 3 rods of Lot 8, Block 162, Original Plat, City of Lansing, Ingham County, Michigan From "DM-4" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. PLAIR, CITY CLERK

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-92—North of 131 Regent Street be rezoned from "J" Parking District to "DM-3" Residential District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of

property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-10-92—North of 131 Regent Street be rezoned from "J" Parking District to "DM-3" Residential District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #02346

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-10-92, North of 131 Regent Street

Parcel Number: 3301-15-430-011

Legal Description: Lot 4 and the north ½ of Lot 5, Block 1, Hudson's Addition, City of Lansing, Ingham County, Michigan From "J" Parking District to "DM-3" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Schmidt a recommendation for approval from the City Clerk's Office for Transfer of a SDD and SDM Liquor License from Garb-Co. Inc.

HANDLED AS RESOLUTION #580

2 / From Councilmember Beal an unsigned letter regarding parking for handicappers between the hours of 2:00-5:00 a.m.

REFERRED TO THE MAYOR

MAYOR'S COMMENTS

Mayor McKane reminded everyone that Halloween is this Saturday. He thanked Burger King, Precious Moments, the Breakfast Club, and all the other non-profit organizations that are working to make this the safest Halloween possible.

COUNCILMEMBER'S COMMENTS

Councilmember Canady thanked Mayor McKane for having the trash that he reported on Windward and Chadburne cleaned up. The neighbors are very happy.

Councilmember Belen asked for a list of people who have indicated that they will be retiring. They need to know what services will be changing. She said she is disturbed by reports about some

people being credited with working another full year in the calculation of their retirement pay.

Councilmember Beal said she received a call from Doctor Willie Davis at midnight last Friday regarding gunshots in the neighborhood of Shepard, Perkins and Walsh Park. Apparently the residents were concerned that the treatment of the gunfire did not meet their expectations. She asked that a meeting be set up.

Councilmember Schmidt asked Mayor McKane to tell the Parks and Recreation Director how much pleasure young people are having at the newly renovated hockey fields, especially at Benjamin Davis Park. She stated her opposition to taking houses down on S. Eighth Street for Sparrow Hospital.

Councilmember Ford said that he recently heard from the Mayor of Grand Rapids that he has proposed starting a 'group of Mayors'. He wrote letters to the Mayors of other cities like Flint, Detroit, etc. who have all responded to his overtures. Lansing is the only city who has not responded. He asked Mayor McKane about his feelings on this. Mayor McKane answered that the only problem he has with the proposal are the dates of the meetings, otherwise it is a good idea.

Council President Crawford welcomed Senior Legislative Assistant, Fran Knot back to work. Fran is the second Council Staff member to have a baby this year. He thanked all of the new mothers and their husbands for the consideration they have shown to Council.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. said Council has violated citizens rights by denying them the right to speak at Council meetings and have yanked them out of Council Chambers denying them the right to freedom of assembly. What right does Council have to do this? Citizens have made several requests that the time clock be made visible to public speakers. He is aware that some people do not agree with his manner of speaking to Council, but what would they do, if their rights were denied like his were?

Greg Orunay of 906 E. Michigan Ave., East Lansing, from Michigan State University urged everyone, Councilmember's and Mayor McKane included to get involved and GO INTO THE STREETS! The kick off for this year's event is Saturday, October 31 at Demonstration Field on Michigan State Campus. This is a community self help project to address the issues the communities are facing and help to integrate them. Last year MSU's program was one of the most successful of the 150 programs that were held. Habitats for Humanity will be back this year along with the issues of hunger, homelessness, and children's issues. He asked Mayor McKane to declare this INTO THE STREETS MONTH.

Douglas Fairbanks of 107 May Street said Council meetings are the best place he knows to get all the news you want.

Melvin Farmer of 3707 Ridgely asked for an update on the property at 2132 Glencoe. He thanked the Physical Development Committee for allowing discussion on this last Thursday and letting them know what is going on. Councilmember Canady said it will be under discussion again this Thursday. Mayor McKane said that he has received new information. The State Attorney General's Office and the Department of Social Services will meet on this to clarify the interpretation that the Department of Social Services uses for

residential care facilities. Mayor McKane said the Attorney General may be able to give the City some relief in this matter.

Harold Leeman of 529 N. Francis asked that Council please encourage the Ethics Board to meet. They have not met in some time. He asked if the joint meeting between the Board of Water and Light and Council has been scheduled yet? President Crawford answered no, it will be scheduled this Thursday. He resurrected the issue of the automobile fleet for city employees. Ways and Means was supposed to look into the issue of gas for employee vehicles and get a list of locations where the cars are being stored at night. He stated his irritation and frustration to find that the City bought a 1992 'T Bird' for employees use. Why didn't they just give this person a car from the fleet? He thanked Betty Kost for writing a nice article in Saturday's State Journal.

Lloyd Teets of 116 East Elm St. said that if Council had gotten a clock like citizens have asked for over a year now there would not be all the gavel banging that they have had tonight. He thanked the State Journal for their support of the term limitation issue, and thanked Betty Kost for her point of view. He said that not one of the Councilmembers on Council today had to beat an incumbent to win their seat.

Sid Worthington, no address given, questioned the ballot language for term limitation of elected City officials.

Bob Truax of 3639 Aaragon told everyone watching on television that if they have true feelings about what goes on in their neighborhood, a complaint, or a problem, they can come down to Council and express their concerns. Councilmembers will listen and do what they can to help.

ADJOURNED 8:40

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

367

Proceedings, November 2, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
November 2, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of October 12, and October 19, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1/ From Councilmember Ford a resolution acknowledging non-profit status for the Lansing Association of Women's Clubs

2/ From Councilmember Benavides a request that the rules be suspended to allow for presentation of certificates of recognition to the winners of the City Market Halloween Costume Contest

3/ From Councilmember Schmidt a communication from Mayor McKane's Office regarding drug raids at 401 Lathrop (pursuant to the Public Nuisance Ordinance)

4/ From Councilmember Canady a communication from Mayor McKane regarding the proposed residential care facility at 2132 Glencoe

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled Public Hearings

PUBLIC COMMENT

There were no Public Comments

SPECIAL CEREMONIES

A. Councilmember Alfreda Schmidt presented a check in the amount of \$14,103.05 for Kendon School playground Equipment to Doctor Thomas, Principal of Kendon School and Dave Finnie of the Lansing School District. Doctor Thomas thanked Councilmember

Schmidt for taking charge of the work that needed to be done to implement the donation of funds for replacement of playground equipment at her school. She thanked Council for giving the School District and the City this opportunity to work together. Councilmember Schmidt thanked Council staff Greg Koessel and Channel 28 Programmer, Karen Schmidt.

B. Councilmember Benavides presented certificates of recognition to the winners of the City Market Halloween Costume Contest. Winners appeared dressed in their prize winning costumes. Prizes were awarded for the scariest costume, the funniest costume, and originality and creativity. Among the Contest winners accepting certificates was a duck, a ghost, a fisherman, and a witch.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and the proper referrals be made by President Crawford

Carried unanimously

A. Petition signed by 18 residents of Bogart St. in opposition to Z-12-92, request to rezone 5133 S. Dr. Martin Luther King, Jr. Blvd./Logan St. from "D-1" Professional Office District to "F" Commercial District

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

B. Notice from the Department of Natural Resources of application for a permit to construct in the Grand River by Thomas Arnold, 200-202 E. Grand River Avenue

REFERRED TO THE MAYOR

C. Claim appeal from Mrs. Ruth Timko of 15051 Timmeron Tr., Dewitt

**REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES**

D. Letter from Harold Leeman of 529 N. Francis regarding the automobile fleet for City employees, and the purchase of a 1992 T-Bird for a City official

**REFERRED TO THE MAYOR
AND THE COMMITTEE ON WAYS AND MEANS
MAYOR MAY COMMENT**

Mayor McKane reviewed his letters #1, #2, #3, #4, #7, #8, #9, and #10. He relayed the appreciation and thanks of the American Red Cross to everyone who participated in Downtown Donor Days last August. It was a completely successful drive. He outlined the suspension item from his office regarding a proposed residential care facility at 2132 Glencoe. He has received a communication from Robert E. Bee, Director, Division of Child Welfare Licensing for the Department of Social Services stating their intent to review this

license.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #582

November 2, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

TRANSFER CLASS C: Genuine Italian
SIGN ERECTOR: Media Six Inc. & Commercial Sign Service

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 26, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Revised Mission Statement for Mayor's Advisory Committee on the Future of the Board of Water and Light and Appointment of New Committee

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ Appointment of Lansing Convention Task Force

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ Mayor's Letter to Michigan Public Service Commission regarding Board of Water and Light

RECEIVED AND PLACED ON FILE

4/ Lansing Housing Commission receives funding approval for 3rd year of Drug Elimination Program

RECEIVED AND PLACED ON FILE

5/ RESOLUTION #583

TO: Council President James Crawford and City Councilmembers
FROM: Terry J. McKane, Mayor

DATE: October 29, 1992

SUBJ: Lancen Village South #5 Subdivision—Request to Release Financial Security Held by City

The attached request is submitted with my concurrence for your

review and appropriate action.

By Councilmember Benavides

To accept the recommendations of the Mayor

Carried unanimously

6/ Letter of Appreciation from Lansing School District Regarding Co-Sponsorship of Newspaper in Education Program

RECEIVED AND PLACED ON FILE

7/ Michigan State Capitol Designated as National Historic Landmark by National Park Service

RECEIVED AND PLACED ON FILE

8/ Voter Precinct Accessibility Review—ADA

RECEIVED AND PLACED ON FILE

9/ City Market Rental Fees

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10/ Results of Downtown Donor Days (August 31, -September 1)

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

Item XI A-1 by the Committee on Physical Development was pulled from the agenda at the request of Councilmember Canady and returned to the Committee on Physical Development

RESOLUTION #584

Z-13-92

500 and 600 Blk. American Road

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-13-92 to be rezoned from "D-1" Professional Office District to "F" Commercial District

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady

Lucile Belen

Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

RESOLUTION #585

Z-14-92

5001 North Grand River Avenue

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-14-92 to be rezoned from "A" Residential District, "E-2" Local Shopping District, and "J" Parking District to "F" Commercial District

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady

Lucile Belen

Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

RESOLUTION #586

Z-16-92

4305-4311 South Cedar Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-16-92 to be rezoned from "A" Residential District, "F" Commercial District and "J" Parking District to "D-1" Professional Office District

Reports as follows: That said rezoning be approved.

SIGNED: Mark H. Canady

Lucile Belen

Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Carried unanimously

RESOLUTIONS**RESOLUTION #587**

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Rickey L. and Dolores M. Smith filed a claim against the City in the amount of \$ 1,549.00 for reimbursement of personal property damage caused by a backup of raw sewage into the basement of their residence at 4304 MacDougal Circle; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee found that the Public Service Department responded promptly and cleared the plugged main quickly, and that none of the exceptions to the doctrine of governmental immunity were indicated by the circumstances of this sewer backup; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Rickey L. and Dolores M. Smith; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

Nov. 2, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #588

ACT-30-92

LANSING AVENUE LOTS

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, Mr. Neil Simon, owner of five (5) lots 420, 421, 422, 423 and 424 of North Highland Subdivision has offered to donate these

lots to the City of Lansing; and

WHEREAS, the Planning Board has reviewed the offer under ACT 285 of Michigan Public Acts of 1931, and unanimously recommended that the City accept these subject property and be placed under the jurisdiction of the Public Service Department;

WHEREAS, the Council Committee on Physical Development concurs with the recommendation of the Planning Board; and

NOW THEREFORE BE IT RESOLVED that the City accept the five (5) lots in Highland Subdivision offered by Mr. Neil Simon conditional on a satisfactory environmental audit on the property.

BE IT FURTHER RESOLVED that the City Administration provide Mr. Simon with a statement of value for tax purposes and that the Public Service Department assure jurisdiction for the property.

By Councilmember Canady

Carried Unanimously

RESOLUTION #589

9/24/92

COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-14-92

1825 Sunset Avenue

WHEREAS Jay Harter and Owen Faust, representing Michael and Valerie Guthrie, have requested a special land use for property located at 1825 Sunset Avenue, more particularly described as:

The East 140' of the following described property:

The north ½ of Lot 52, except the north 35 feet of the east 142 feet, Assessor's Plat No. 11 on the northwest ¼ of Section 8, T4N, R2W, City of Lansing, Ingham County, Michigan

for the purpose of providing additional off street parking for Trumark, Incorporated, an industrial plant located directly across the street; and

WHEREAS the proposed off street surface parking lot will provide approximately 26 additional spaces on 2.2 acres of land for Trumark, Incorporated; and

WHEREAS this additional parking will help alleviate the on street parking on Sunset Avenue; and

WHEREAS the Planning Board held a public hearing on September 1, 1992 on this request, at which time the owner spoke on behalf of this proposal. Two people spoke in favor of the request and no one spoke in opposition; and

WHEREAS the Planning Board, at their meeting of September 15, 1992 reviewed this request and recommended approval subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing approves a special land use for property located at 1825 Sunset Avenue subject to the following conditions:

1. That landscape, screening and buffering requirements be adhered to.

2. That dimensional requirements of the "A" Residential District are met.

3. That the applicant submit a site plan acceptable to the Public Service Department.

In making this recommendation the City Council considered the following:

Compatibility with Surrounding Land Use

Properties are single family residential to the north and along Melvin Court. Property located to the south includes a single family home, an animal cemetery and shelter and the City's Wastewater Treatment Plant. The Trumark business is located to the east.

Change to Essential Character of the Area

The use of this property for parking should not change the essential character of the area. General patterns of land use development would continue. The proposed parking lot will be located between non-residential land use to the south and single family homes to the north. Trumark will not be building any additions to the structure, but simply adding employees. This lot will better serve an existing business.

As long as the use remains no more intense than parking, no negative impact on essential character of the area is anticipated.

Interference with Enjoyment of Adjacent Properties

As a well screened and landscaped parking lot, no interference with adjacent properties is anticipated. The additional space should relieve the pressure for on street parking on Sunset Avenue.

If the Trumark business grows as expected, an even larger parking lot will be needed. If Trumark acquires the property to the south at 1811 Sunset Avenue, it will expand its parking lot in that direction and away from residential properties to the north.

Improvement to Property or Surrounding Area or Enhancement to the Natural Environment

The parking lot will be well designed, landscaped and screened from adjacent properties. It will provide Trumark employees with off street parking, keeping much of the non-residential traffic south of the residential area. The wood lot to remain on the balance of the property will act as a buffer between residential and non-residential land use. The site plan shows six silver leaf maple trees and 30 dogwoods surrounding the parking lot. The overall impact of the parking lot on the area should be positive.

Impact on Environmental Quality

The development of the parking lot should not increase any potential for pollution if the runoff from the parking lot is done in accord with Public Service requirements. The lot will be graded to direct runoff into the wood lot to the west. Lighting shall be directed away from adjacent residential properties.

Adequacy of Public Services and Facilities

Public services necessary to create the proposed parking lot are electricity for the lighting system and sewer for runoff from the lot. Both are available to service this site. The applicant proposes to direct the runoff into the western portion of the site, thereby not requiring any use of the sewer system.

Impact on Capacity of Public Services and Facilities

Public services are available to service the site with no negative impact anticipated.

Consistency with Master Plan

The River Island Comprehensive Plan identifies the area for industrial land use. The use of the subject property for parking to accommodate an existing business is in keeping with the objectives of the Plan. Its location is currently between residential properties. Trumark is attempting to acquire the adjacent house to the south to better assemble the properties for parking and to avoid leaving the remaining residential property isolated. By obtaining a Special Land Use permit instead of a rezoning on the property, the land is used in a way that will benefit a growing business.

Compliance with Zoning Code Requirements

The Zoning Code allows off street parking lots in residential districts by Special Land Use permit. The property is located in the "A" Residential district which has a 20 foot front yard setback, a 6 foot side and a 30 foot rear yard setback requirement. The parking lot according to the site plan extends into the required front yard area. Therefore, the site plan should be revised to show a 20 foot front yard area free of parking spaces.

By Councilmember Canady

Carried unanimously

RESOLUTION #590

BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Association of Women's Clubs has requested non-profit status, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes Lansing Association of Women's Clubs as a non-profit organization.

November 2, 1992

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinances of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-5-92—118-122-124 and 126 North Eighth Street from "DM-3" Residential District to "J" Parking District

Z-19-92—1222 East Michigan Avenue from "DM-3" Residential District, "D-1" Professional Office District, "F" Commercial District "F-1" Commercial District and "J" Parking District to "DM-4" Residential District.

were introduced by Councilmember Canady, read a first and second time by their titles and referred to the Committee on Physical Development.

RESOLUTION #591a & 591b

By Councilmember Canady:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 23, 1992 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the following ordinances for rezoning:

Z-5-92—118-122-124 and 126 North Eighth Street from "DM-3" Residential District to "J" Parking District

Z-19-92—1222 East Michigan Avenue from "DM-3" Residential District, "D-1" Professional Office District, "F" Commercial District, "F-1" Commercial District and "J" Parking District to "DM-4" Residential District. This hearing will also be the time for public comment on Act-8-92, Sparrow request for use of air rights over East Michigan Avenue for constructing a pedestrian overpass, and for the Sparrow Hospital Concept Plan.

By Councilmember Canady

To set a public hearing in consideration of Z-5-92 for November 23, 1992

Carried unanimously

By Councilmember Canady

To set a public hearing in consideration of Z-19-92 for November 23, 1992

Carried unanimously

ORDINANCES FOR PASSAGE

Item XIV A-1 by the Committee on Physical Development was pulled from the agenda at the request of Councilmember Canady

BY COUNCILMEMBER CANADY:

That we move to passage of ordinances.

BY COUNCILMEMBER CANADY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-13-92, 500 and 600 Blocks American Road rezoning from "D-1" Professional Office District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-13-92, 500 and 600 Blocks American Road rezoning from "D-1" Professional Office District to "F" Commercial District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #2347

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-13-92, 500-600 Blocks of American Road

Parcel Number: 3305-09-401-111 and 3305-09-401-121

Legal Description: Lots 18 and 19, Kahres Farms No. 2 Subdivision, City of Lansing, Ingham County, Michigan From "D-1" Professional Office District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR, CITY CLERK

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-14-92, 5001 N. Grand River Ave. rezoning from "A" Residential District, "E-2" Local Shopping District and "J" Parking District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-14 92, 5001 N. Grand River Ave. rezoning from "A" Residential District, "E-2" Local Shopping District and "J" Parking District to "F" Commercial District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #2348

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-14-92, 5001 North Grand River Avenue and 3300 Block of Sheffer Avenue

Parcel Number: 3301-06-127-001, 3301-06-127-011, 3301-06-127-021

Legal Description: Lots 17, 18, 19 and 20, Westmont Subdivision, City of Lansing, Ingham County, Michigan From "A" Residential, "E-2" Local Shopping and "J" Parking Districts to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. PLAIR, CITY CLERK

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-16-92 4305-4311 S. Cedar St. rezoning from "A" Residential District, "F" Commercial District and "J" Parking District to "D-1" Professional Office District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-16-92 4305-4311 S. Cedar St. rezoning from "A" Residential District, "F" Commercial District and "J" Parking District to "D-1" Professional Office District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #2349

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-16-92, 4305-4311 South Cedar Street

Parcel Number: 3301-33-426-001 and 3301-33-426-011

Legal Description: Lots 1, 2 and 3 of Orchard Gardens Subdivision, City of Lansing, Ingham County, Michigan From "A" Residential, "F" Commercial and "J" Parking District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford a resolution acknowledging non-profit status for the Lansing Association of Women's Clubs

HANDLED AS RESOLUTION #590

2/ From Councilmember Benavides a request that the rules be suspended to allow for presentation of certificates of recognition to the winners of the City Market Halloween Costume Contest

THE RULES WERE SUSPENDED AND CERTIFICATES OF RECOGNITION WERE PRESENTED TO WINNERS OF THE CITY MARKET HALLOWEEN COSTUME CONTEST DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

3/ From Councilmember Schmidt a communication from Mayor McKane's Office regarding drug raids at 401 Lathrop pursuant to the Public Nuisance Ordinance

REFERRED TO THE CITY ATTORNEY AND THE PUBLIC SAFETY COMMITTEE

4/ From Councilmember Canady a communication from Mayor McKane regarding the proposed residential care facility at 2132 Glencoe

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR'S COMMENTS

Mayor McKane announced that this Saturday, November 7, 1992, Lansing will celebrate a Michigan Salute to Veterans. There will be a Veterans Day Parade at 10:00 a.m. as well as several activities at the Michigan Historical Museum and Library. The event is co-hosted by Commander's Group of the State of Michigan, Library of Michigan, Legislative Council, Michigan Departments of State and Military Affairs, Governor John B. Swainson, Michigan Veterans Trust Fund, Office of Lansing Mayor Terry McKane, and Secretary of State Richard H. Austin.

COUNCILMEMBER'S COMMENTS

Councilmember Canady announced that tomorrow night, election night, Channel 28 will have excellent coverage of the election. He will be serving as a guest analyst.

Councilmember Schmidt passed out agendas for the Veteran's Day Celebration this weekend. United States flags will be given out to the first 250 persons attending. The Downtown Methodist Church is having a variety show to raise funds for the Greater Lansing Food Bank. Tickets are available for the Tri-County Office on Aging's All Star Auction Banquet at the Sheraton Hotel. They are six for \$5.00 or \$1.00 per ticket.

Councilmember Benavides welcomed students in the audience

from L.C.C. and M.S.U. who are doing papers on government. He asked Mayor McKane about the City's plans to participate in the "Give a Kid a Coat" program being handled by Q106 radio station this Friday, Saturday and Sunday. They would like a status report on the Community Service and Referral Center's standing with the City. Mayor McKane reported that he had turned this event over to the Director of the Human Resources Department, Jackie Warr. As of now the City has no contract with CSRC, but, has concern over what they are doing. There is no City funding going to this agency.

Councilmember Ford said that the ballot for tomorrow's election is complex and extensive. He asked that everyone make sure they vote on the local issues, such as 54A District Court Judges and the Charter Amendment Proposal.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. asked why Council has not installed a time clock that is visible to public speakers. He said people are getting sick and tired of monsters and that is why they are voting for term limitations.

Betty Kost of 1425 McIntyre Court apologized to Councilmember Belen for using incorrect information about her in a recent State Journal article. She said councilmembers attend neighborhood meetings when they are running for office, but once they are elected, where are they? Lou Adado would have made an excellent mayor, if it had not been for the incumbent, she said. She urged everyone to vote for term limitations tomorrow.

Douglas Fairbanks of 107 May St. told Councilmembers and the Mayor that they have nothing to be ashamed of. He urged everyone to vote against all four proposals on tomorrow's ballot, except for the insurance proposal.

Mel Farmer of 3707 Ridgelyfield thanked Mayor McKane and Council, on behalf of the community, for their efforts regarding the residential care facility on Glencoe. They have exhibited a lot of interest in the area's concerns. They may not be able to solve all issues, but they get involved and try to help people when they need and ask for it. He stated his opposition to term limitations. They are all doing a good job.

Glen Hills of 908 Hampshire Drive, St. Johns thanked Councilmembers for their commitment to the City Market. He is concerned about the vacancy ratio. They have a tremendous impact on the whole market. He recommends that the rent be lowered to \$10 per square foot and asked that Council consider putting the market under an Authority.

Doctor Willie Davis of 1136 Shepard said his is a poor neighborhood, experiencing many problems with drug sales because of unemployment. He has appeared before council on a couple of occasions seeking support for his efforts to increase employment among the poor. He thanked Councilmember Beal for her comments on this issue. Lansing has enough resources to make sure that the people in the poor communities can achieve their goals in terms of home ownership.

Paul Scott of 1137 Kilborn spoke against term limitations. The right to vote gives registered citizens a most effective tool to enforce term limits, but, it does not come free. You have to get out and vote. You have to work for it. Term limits would increase the power of special interest groups in the City. What influence can citizens

exert over "lame-duck" elected officials who do not have to be re-elected. The way to effect change is to get involved.

Charles Creamer of 523 Everett Drive spoke in opposition to term limitations. It does only one thing, it limits his choice as a citizen of the city to vote for whom he wants to vote for. He should have the right to vote for, or against, Belen, Schmidt, Mayor McKane, and Benavides next year. Citizens must pay attention to what their elected representatives do and respond accordingly at the ballot box. This is the way the system should operate, not by limiting a person's choice.

Maggie Bounder, a vendor at the City Market, agreed with the statements made by Mr. Hill. She thanked Councilmember Benavides for his efforts on behalf of the Market, and outlined coming events to be held there.

Sid Worthington, no address given, said he is opposed to term limitations at a local level. He said Lansing has been extremely fortunate in its' representation in government. The Belen family has provided distinguished service on both a local and federal level. Not many cities can boast of the tremendous tradition of representation that Lansing can.

Louis Adado, Jr. of 5305 S. Waverly Rd. said his father served the city for 15 years. He is opposed to term limitations. He encouraged people to get involved with the community. "Go out today, find out what is going on, and get involved in it" he said.

Richard Collins of 225 Moores River Dr. said that Citizens for a Better Lansing did not have the campaign financing that Citizens for Choice in Lansing had. CBL, he said, received small donations and held fund raisers, but were forced to spend their money on lawyers, etc. to get their issue on the ballot. Citizens for Choice received larger campaign contributions from special interest groups, who are very interested in keeping the incumbents in office.

Lloyd Teets of 116 E. Elm St. asked President Crawford to restrain Councilmember Belen from breaking into his speaking time this week. Last week she interrupted him, and disturbed a Public Assembly. He said that Thomas Jefferson, Harry Truman, and George Bush believe in term limitations. If it is good enough for the President of the United States it is good enough for local officials. Elected officials have a duty and obligation to keep their hand on the pulse of the community. Councilmembers have not done so. They did away with the Parks Police program and the Civic Center against the wishes of the community. Council is bought and paid for by special interest groups. The proposal to limit terms of elected city officials is way at the end of the ballot, give it a chance, if it does not work, it can be changed.

Harold Leeman of 529 N. Francis said he is disappointed that Mayor McKane appointed Kevin McKinney to the Lansing Convention Task Force. Mr. McKinney is already a member of Lansing 2000, and the Lansing Convention/Exhibition Authority Board. Leeman said he is proud of keeping track of what goes on in City Hall.

Gary Andrews of 560 Brookland Blvd. said he has been in this room for over 18 years and tomorrow he has an opportunity to vote on a charter amendment proposal to limit terms of City Officials. Tomorrow people have a chance to take back the city.

ADJOURNED 8:45

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

374

Proceedings, November 9, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
November 9, 1992

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation was led by Councilmember Benavides and the Pledge of Allegiance was led by Boy Scout Troop 82 from Cumberland School

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a resolution of Tribute to Linda Cook of General Motors Buick, Oldsmobile, Cadillac Plant

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

There were no Public Comments

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Request for Preliminary and Final Plat Approval, by Capital Consultants Inc. for Jet Place Plat, Inc.

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Notice from the Department of Natural Resources of an incomplete application filed by Summit Steel Processing Corp. (Louis Padnos Iron & Metal Co.) regarding the National Pollutant Discharge Elimination System (NPDES)

RECEIVED AND PLACED ON FILE

C. Notice from the Department of Natural Resources of a permit to construct in the Grand River issued to Thomas Arnold of 200-202 E. Grand River Ave.

REFERRED TO THE MAYOR

D. Claim of Arthur and Debra Robinson of 1200 N. Jenison Street

REFERRED TO THE CITY ATTORNEY

E. Letter of appreciation from Betty J. Guile of 1000 Britten Avenue for the efficiency and expertise shown by Poll workers at the November 3, 1992 Presidential election

RECEIVED AND PLACED ON FILE

F. Letter from Ingham County Clerk Lingg Brewer submitting Form 4029, approved millage rates for Ingham County

REFERRED TO THE MAYOR

G. Notice of Forfeiture on a Land Contract for property located at 5923 Hilliard Road owned by John J. and Joyce A. Perez

REFERRED TO THE MAYOR

H. Z-21-92, 5700 Aurelius Rd. request to rezone from "H" Light Industrial and "J" Parking to "H" Light Industrial submitted by James Reichenbach of 2446 Jolly Rd., Okemos

REFERRED TO THE MAYOR AND THE PLANNING BOARD

EXECUTIVE ASSISTANT TO THE MAYOR'S COMMENT

Mr. Boyd commented on Mayor McKane's letter #1, corrected list of appointees to the Lansing Convention Task Force. One name, that of Councilmember Mark Canady, had been inadvertently left off the list.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #592

November 9, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: David A. Queen

SIGN ERECTOR: Intercity Neon Sign Co., Huron Sign Company

WRECKER SERVICE: Jack's Automotive Center

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1 Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 2, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk notifying Councilmembers of notice from the Michigan Liquor Control Commission of:

a. Denial of request to Transfer ownership of 1988 SDD license for Wal-Mart Stores, Inc.

b. Cancellation of Application for transfer of ownership of 1986 Class C license for Augies, Inc.

RECEIVED AND PLACED ON FILE

C. Letter from Emerson B. Ohl of the Tax Increment Finance Authority of the City of Lansing regarding the successful sale of \$25,000,000 in 1992 Tax Increment Bonds as approved by Council

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Corrected List of Appointees to Lansing Convention Task Force

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ Appointment of Camille W. Black to Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3/ Appointment of Sally H. Laurion to Park Board

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

4/ Appointment of Samuel Fata to Park Board

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5/ Potter Park Fees

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6/ Multi-Family Dwelling Recycling Requirements

RECEIVED AND PLACED ON FILE

7/ Mitchell Pope v Craig Klemens, St. Pat Wilson, Don Knechtel, Patty Luciano, Clyde Smith, Paul Weidner and Mark Burns, City of Lansing Police Officers

RECEIVED AND PLACED ON FILE

8/ RESOLUTION #593

TO: Council President James Crawford and City Councilmembers

FROM: Terry J. McKane, Mayor

DATE: November 4, 1992

SUBJ: Trash Violation Fee (V-26)—\$1,283.13

The attached trash violation/assessment fees for removal of trash and debris in the right-of-way are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

9/ Adoption of 1993 National Electrical Code

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

10/ Z-18-92, 1100-1106 W. Ionia St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

11/ SLU-15-92, 2613 Hillcrest St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

12/ New Cable Television Consumer Law

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

13/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #594

Z-12-92

5133 Dr. Martin Luther King, Jr. Blvd./S. Logan Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-12-92 to be rezoned from "D-1" Professional Office District to "F" Commercial District

Reports as follows:

That said rezoning be approved with the exception of the southeasterly twenty-five feet (25'), which is excluded and is to remain as a buffer.

SIGNED: Mark H. Canady

Lucile Belen

Jim Crawford

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady

Adopted by the following vote:

YEAS: 7

NAYS: 1

ABSTAIN: 0

RESOLUTION #595

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the petition signed by Bogart Street residents objecting to the rezoning at 5133 South King/Logan for use as an overnight veterinary clinic,

REPORTS AS FOLLOWS: The Committee directed that all signers of the petition be called and invited to the Nov. 5 Committee meeting. Two residents attended and raised concerns about the operation of the clinic. The veterinarians who will operate the clinic responded to the residents' questions. The residents were satisfied with the responses. All other petitioners were contacted, but they neither attended the Committee meeting, nor did they express continued interest when contacted. The Committee considers this matter concluded. This report is for information only, and no further Council action is required.

Signed: Mark Canady

Lucile E. Belen

James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

Item XII B, Committee Report by the Ad Hoc Committee on Early Retirement was pulled from the agenda at the request of Councilmember Canady and referred to the Committee of the Whole

RESOLUTIONS

RESOLUTION #596

BY COUNCILMEMBER JAMES CRAWFORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in recognition of November 17, 1992 as National Community Education Day the Lansing City Council wishes to commend the Lansing School District Adult and Continuing Education Program as the primary provider of public education for adults in our community; and

WHEREAS, the Lansing Adult and Continuing Education Program strives to provide all Lansing residents an opportunity to pursue an education in High School Completion, General Education Development, Adult Basic Education, English as a Second Language, Vocational and Technical Training, Business Programs, and Enrichment and Recreation Programs; and

WHEREAS, the Lansing Adult and Continuing Education Program provides instruction to over 10,000 individuals at ten different sites throughout our community on an annual basis; and

WHEREAS, the Lansing Adult and Continuing Education Program has provided educational services to the residents of Lansing for over forty years.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council does hereby acknowledge and pay tribute to the Director, Dr. Melvin Villarreal, and all program staff for their dedicated efforts in providing quality educational opportunities to Lansing adults.

November 9, 1992.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #597

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Phillip Holmes has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant had six points on his driving record at the time of application, and he had had his license suspended within two years of his application, and therefore the Chief of Police has recommended denial of the City license in accordance with subsections (B), (C), and (D) of Section 872.23(b)(3) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has reported that the basis for the Police Chief's recommendation to deny is valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record and the transcript of the hearing, and interviewed the applicant who appeared on his own behalf; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to deny the application of Phillip Holmes for a public driver license; and

BE IT FURTHER RESOLVED, upon adoption of this resolution the City Clerk shall notify the applicant of the Council's findings and conclusion.

November 9, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #598

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on August 28, 1992, the Lansing Police Department conducted a raid on the property at 401 Lathrop Street, and Police discovered evidence that illegal drug activity was occurring, and two arrests were made; and

WHEREAS, in accordance with Section 630.05 of the City Code, on August 31, 1992, the City Attorney sent a letter to Kathryn Terry, owner of record and resident of 401 Lathrop Street, advising her that under the provisions of Chapter 630 of the City Code, if the property were to be raided again within six months of August 28, 1992, and controlled substances and/or drug paraphernalia were to be found, the City could prohibit occupancy of the property for a period of up to one year, and/or hold the owner liable for the full cost of any City staff used in the second and subsequent raids, and assess such cost against the property; and

WHEREAS, on August 31, 1992, a Police investigator contacted the property owner to determine action taken by the owner, and was informed that the owner had decided to sell the property, although no steps were undertaken by the owner to sell the property; and

WHEREAS, on October 1, 1992, a second raid was conducted at 401 Lathrop Street, and four persons were arrested for frequenting a drug house; and

WHEREAS, the Mayor and City Attorney have reviewed the facts of this matter and determined that the property owner has not cooperated with the City within the intent of Resolution #413 adopted by Council of July 23, 1990, as amended; and

WHEREAS, the Mayor and City Attorney have recommended that the provisions of Chapter 630 of the Code be enforced against the property owner; and

WHEREAS, on November 4, 1992, the Committee on Public Safety met with representatives of the Mayor's office, Police Department, and Law Department, to review the reports on this matter, including the property owner's agreement in writing not to contest a

determination of public nuisance or the assessment of costs, and concurred with the Mayor's recommendation that the house be boarded up for one year or until the property is sold, whichever occurs first, and that the City's costs of conducting the October 1, 1992 raid, which amount to \$998.40, and of boarding up and locking the property, which amount to \$359.74, be assessed against the property;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby determines that the property at 401 Lathrop Street is a public nuisance as defined in Chapter 630 of the City Code of Ordinances; and

BE IT FURTHER RESOLVED the Council authorizes the Director of Building Safety to board up and lock the house at 401 Lathrop Street in order to prohibit occupancy for a period of one year, or until sale of the property, whichever occurs first; and

BE IT FURTHER RESOLVED the City's costs of conducting the October 1, 1992 raid on 401 Lathrop Street, and of boarding up and locking the property, in the total amount of \$1,358.14, shall be assessed against the property; and

BE IT FINALLY RESOLVED that an owner aggrieved by this Resolution may appeal to the Ingham County Circuit Court within ten (10) days from the date of this decision, pursuant to Section 630.10 of the City Code.

November 9, 1992

By Councilmember Schmidt

Carried unanimously

RESOLUTION #599

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, television and film actor Edward James Olmos will be the guest speaker at a fund-raiser for the Midwest Hispanic Institute on Substance Abuse Prevention and Training on Wednesday, November 11, 1992, at the Lansing Civic Arena; and

WHEREAS, Mr. Olmos is well known for his Emmy-winning role as Lt. Martin Castillo in the "Miami Vice" TV series, and as Los Angeles calculus teacher Jaime Escalante in the biographical film "Stand and Deliver", for which Mr. Olmos earned an Oscar nomination; and

WHEREAS, more recently, Mr. Olmos has created "American Me", about the subculture of East Los Angeles gang life, by writing the script as well as co-producing, directing, and playing multiple roles in the film; and

WHEREAS, during the day on November 11, Mr. Olmos will speak to students at J.W. Sexton, Lansing Eastern, and Everett High Schools about the importance of education and the dangers of drugs and gang involvement; and

WHEREAS, Lansing's young people will benefit greatly by listening to this famous personality relate his experiences;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 9th day of November, 1992, hereby welcomes Edward James Olmos to Michigan's Capital City, and

expresses warm appreciation for his efforts on behalf of youth here in Lansing and throughout our country.

By Councilmember Benavides

Carried unanimously

RESOLUTION #600

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, since March 1, 1986, the Capital City has benefitted from the energy and enthusiasm brought to several community organizations by Linda J. Cook, who arrived back then to manage news and industry-government relations for the Lansing, Automotive Division (LAD) of General Motors Corporation's Buick-Oldsmobile-Cadillac Group; and

WHEREAS, on January 30, 1991, Linda was promoted to LAD director of public affairs, while continuing her active involvement in the American Red Cross, the Lansing Regional Chamber of Commerce, the Capital Area United Way, the Woldumar Nature Center, and the Lansing Symphony, in addition to local professional organizations; and

WHEREAS, Linda's leadership skills and accomplishments here have not gone unnoticed at GM headquarters, and she will be leaving us soon to manage public affairs for GM North American Truck Platforms in Pontiac; and

WHEREAS, her colleagues at LAD and her many friends throughout Greater Lansing will gather on Friday the 13th of November to tell Linda exactly what they think of her;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 9th day of November, 1992, hereby expresses warm appreciation to LINDA J. COOK for more than six years of outstanding service to the People of our community; and

BE IT FURTHER RESOLVED each Councilmember wishes Linda success and happiness in her new position and throughout her career.

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER CANADY:

That we move to the passage of ordinances.

BY COUNCILMEMBER CANADY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of

property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-92, 5133 S. Dr. Martin Luther King, Jr. Blvd./Logan St. rezoning from "D-1" Professional Office District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER CANADY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-92, 5133 S. Dr. Martin Luther King, Jr. Blvd./Logan St. rezoning from "D-1" Professional Office District to "F" Commercial District be now passed.

YEAS: Councilmembers Beal, Belen, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: Councilmember Benavides

ABSENT: None

ORDINANCE #02350

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-12-92, 5133 South M.L. King, Jr. Blvd./South Logan Street

Parcel Number: 3305-05-226-062

Legal Description: Lots 11 and 12 of Supervisor's Plat of Prosperity Farms except the southeasterly 75 feet thereof, Delhi Township and City of Lansing, Ingham County, Michigan From "D-1" Professional Office District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides a resolution of Tribute to Linda Cook of General Motors Buick, Oldsmobile, Cadillac Plant

HANDLED AS RESOLUTION #590

MAYOR'S COMMENTS

Mr. Boyd announced that in celebration of Veterans Day, Wednesday, November 11, 1992 City Hall will be closed. Green Bag trash pickup will be one day late this week, however, crews will be picking up on Saturday to stay on schedule for next week.

COUNCILMEMBER'S COMMENTS

Councilmember Brockwell said hello to his brother-in-law Tom, who is at home watching tonight.

Councilmember Schmidt announced a correction in the rezoning petition Z-21-92, the address should read 5700 Aurelius Road.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. addressed his comments to the television audience. He objected to citizens attending Council meetings being denied their right to speak during public comments and being yanked out of Council Chambers. By rights these Chambers belong to the citizens of the city.

Jim Garland of 3308 Trappers Cove Trail Apartment 2-C, Director of the Recyclers of Ingham, Eaton, and Clinton Counties, spoke regarding the provision for multiple family dwellings in the recycling ordinance. He stressed the importance of requiring apartment owners to provide on site pickup rather than allowing them to require that tenants take their recyclables to a drop-off site. This will ensure that homeowners and renters are treated equitably under the law.

Louis Paddock of 1724 W. Miller Road said that he hopes that when the State Capital Building is re-dedicated they include the lighting of the dome that a citizen campaigned so diligently for last year. He expressed his dissatisfaction over the defeat of term limitations for elected city officials.

Fawaz Fawaz of 3200 S. Cambridge stated his opposition to the way that the recycling ordinance will be implemented for multiple family dwellings. He received a two week notice that he must be in compliance by November 15, 1992. He asked why there was such a difference in the way recycling will be handled for apartment dwellings and single family homes. Why must the landlord be responsible for supplying the recycling bins for all of his tenants? The city provided bins for single family residents.

Lloyd Teets of 116 E. Elm St. thanked the people who voted for term limits for city officials, and the people who voted against it. He is not upset about the outcome of the vote, he just wanted it to go to a vote of the people. He asked how much the rate payers of the Board of Water & Light in Lansing are contributing to the school district in the Belle River area and why there are so many cost over runs in the bidding of projects at the Board? Why have so many law suits been filed against the Board of Water & Light?

Douglas Fairbanks of 107 May St. commended Councilmember Belen on her many years of loyal service to the citizens of the City of Lansing.

Darrell Burgess of 1407 Prospect said that the Public Hearing scheduled for November 23, 1992 is an opportunity for people to come down to the 150 seat City Council auditorium to object to the rezoning of the Civic Center. The Civic Center, he said, stands as a living memorial to the Veterans who gave their lives to protect our freedom.

Harold Leeman of 529 N. Francis thanked everyone who went out and voted. He asked if the meeting between the board members of the Board of Water & Light and City Council would be open to the public. He asked if the date has been set for the dinner between Council and the Board. Council President Crawford answered yes. The dinner is scheduled for November 17, 1992 at 5:30 P.M. Mr. Leeman asked about the letter he wrote to Council last week

regarding the automobile fleet for city employees. Why wasn't his communication referred to the Committee on Ways and Means as he requested? Council President Crawford answered that he did make that referral.

Mel Farmer of 3707 Ridgfield expressed his pleasure over the defeat of term limitations for elected city officials. He thanked Council for responding to the needs of his community regarding the issue of a residential care facility on Glencoe.

ADJOURNED 7:50P.M.
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

380

Proceedings, November 16, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
November 16, 1992

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

ABSENT: Councilmember Brockwell

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a letter from Ms. DelRae Finnerty regarding a problem with the Building Department

2/ From Councilmember Ford 390 petition signatures relative to the funding of GNS Cable Channel 39 for inclusion with Item XII C

3/ From Councilmember Schmidt a resolution of tribute in memory of Phillip Pittinger

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There are no scheduled Public Hearings

PUBLIC COMMENT

Howard Jones of 426 W. Barnes Ave., former member of the Ad Hoc Committee on Recycling urged Councilmembers to follow the intent of the language in the Recycling Ordinance as it pertains to multiple family dwellings. Granger Container Co. participated in the committee meetings when the language of this ordinance was written and assured the committee that residents of apartment complexes could easily comply. Councilmember Canady assured Mr. Jones that Council has every intention of following the intent of the ordinance.

Lloyd Teets of 116 E. Elm St. blamed the City Attorney for not using specific language in the recycling ordinance to require on site recycling for multiple family dwellings. He said if the community does not like the recycling language, they can put together another petition drive and change it. The ordinance, he said, passed by a small margin and this can be attributed to residents of apartments who do not have to pay taxes and therefore did not worry where the funding for the program would come from. Council needs to get this cleaned up, get these people on board and on line as soon as possible.

Sue Eby of 801 Durant asked to have the resolution on recycling read into the record, because it was not available for the public to

view. Non-enforcement of the ordinance will put the CMC grant in jeopardy she said. Enforcement of this ordinance is very important. Get the problems ironed out and get the city in compliance before the State declares the city to be in violation of the terms of the grant.

RESOLUTION #612

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Section 1063.03 of the Lansing Code of Ordinances requires beginning November 15, 1992, that the owners, lessees, or occupants of multi-family dwellings containing five units or more to separate recyclable materials and yard waste from solid waste prior to collection; and

WHEREAS, a question has arisen as to whether Chapter 1063 of the Lansing Code of Ordinances requires multi-family recycling services be on site or permit apartment dwellers to haul recyclable materials to drop off centers at a location removed from their building or complex;

NOW, THEREFORE BE IT RESOLVED the City Administration is requested to not enforce the penalty provisions of Chapter 1063 of the Lansing Code of Ordinances until clarification of Chapter 1063 occurs; and

BE IT FINALLY RESOLVED that this request to not enforce Chapter 1063 shall be applicable only to multi-family dwellings containing five (5) units or more and shall only be for sixty days from the date of passage of this resolution.

November 16, 1992

By Councilmember Canady

To amend the resolution by re-phrasing the last paragraph to state:

BE IT FINALLY RESOLVED that this request to not enforce Chapter 1063 shall be applicable only to multi-family dwellings containing five (5) units or more and shall be for NOT MORE THAN 60 DAYS from the date of passage of this resolution.

And to place an affirmative roll on the resolution as amended

Carried unanimously

Forrest Babcock of 3724 Wilson Ave. said this ordinance will not cost him a dime because he will pass the cost on to his renters. They are all low-income people. His fine will be \$500 per day if he is found to be in non-compliance, or if his dumpster is visible from the street. The city, he said, refused to get involved in making these people recycle, they put the burden on the landowner. He volunteered to help write a better multiple family dwelling recycling program that is workable for the city.

William Hubbell of 1003 W. Cavanaugh said last year he advocated that the city come up with the funding to keep the Recycler's of Ingham, Eaton and Clinton County in the Logan Center open. Now he is suggesting that they do whatever they can to get this center

reopened.

Harold Leeman of 529 N. Francis said that he does not believe that 6 replacements in the Public Service Garage are needed. There must be some fat in these six positions that can be cut. He asked that the resolution regarding photocopy fees be amended to exclude Council Agendas and asked if people who come in to get copies of their crime reports will be charged also. He asked for the figures on the value of the property on Michigan Ave. and Cedar St. that is being purchased by the Economic Development Corporation. He said he thought the recycling ordinance took some cheap shots at the Committee of the Whole meeting on Thursday. It has only been in effect for a little over a year and is doing a pretty good job.

Douglas Fairbanks of 107 May St. said that without recycling Lansing would have the biggest trash dump in the midwest.

Martin Wright, no address given, on behalf of Granger Container Service said that multiple-family dwellings should be given the same considerations that single family homes are given. There are 5 sites in this area for drop off recycling and one of them collects more than the City's recycling program does. Granger has been unable to locate any language in the CMC grant regarding monies given to the multiple-family dwelling recycling program.

Jim Garland 3308 Trappers Cove Trail, Director of the Ingham, Eaton, Clinton County Recycler's, said they are only looking for fair treatment under the law. The city should have the same provisions for home owners as for residents of apartment complexes.

Stephanie Sabia Whitbeck of 620 W. Ionia said this is the richest early retirement that has ever been offered. She has heard that it has an amortization period of 30 years. This is way too high. As positions are filled the city loses the ability to save any money, and will end up pushing this burden on to the next generation of tax payers.

SPECIAL CEREMONIES

Pat Heyden presented copies of her book "Behind the Badge The History of the Lansing Police Department" to Mayor McKane, Council President Crawford, Police Chief Boles, and her husband, Assistant Police Chief, James V. Heyden. Chief Boles thanked Mrs. Heyden for her invaluable history of the Lansing Police Department. Councilmember Schmidt requested that Council present Mrs. Heyden with a video tape of her presentation tonight and with a certificate of appreciation.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. 1992 Winter Tax Certification-Waverly School District

REFERRED TO THE MAYOR

B. Notice from the Department of Natural Resources of a National Pollutant Discharge Elimination System (NPDES) application for reissuance of permit filed by Buick Oldsmobile Cadillac

REFERRED TO THE MAYOR

C. Petition signed by 15 residents of the City requesting that the City Council intervene to help resolve the issue of the legal status of "GNS Cable Channel 39" as a public access channel

REFERRED TO THE MAYOR, CITY ATTORNEY, AND THE COMMITTEE ON WAYS AND MEANS

D. Petition signed by 53 residents of N. Foster Avenue requesting the installation of stop signs at the corners of Foster and Vine and Foster and Fernwood

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

E. Claim filed by attorney's on behalf of their client, Juanita Ortiz, for a slip and fall accident she sustained at the intersection of Shiawassee and Dorrance

REFERRED TO THE CITY ATTORNEY

MAYOR MAY COMMENT

Mayor McKane dedicated his speaking time tonight to Joseph Pandey, Director of the Board of Water & Light. Mr. Pandey explained the technical aspect of yesterday's explosion and fire at the City's Eckhart Station, that resulted in the possibility of contamination of the City's water supply and the closing of city schools and restaurants. He apologized to the residents of the city and said that as of 5:30 P.M. tonight they received the report from the Michigan Health Department that the water was safe. Contamination of the water supply had not occurred, however, the precautions they took had to be taken. He thanked the Fire Department, Quality Dairy and other local stores who passed out water. He thanked his employees who responded very well to the need to restore service quickly.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. RESOLUTION #601 November 16, 1992
President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: John Paul Kleber, Wade Stuart Goedert, Juan Revilla, Dan Spencer Williams, Rick Joe Revilla, James Kendal Leach

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 9, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk notifying Councilmembers of receipt of the Certificate of Determination of the Term Limitation Proposal on the November 3, 1992 ballot

RECEIVED AND PLACED ON FILE

C. Letter from Stephen W. Duarte, Director of Finance submitting the Financial Statements of City funds at September 30, 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Annual Reports as of December 31, 1991 for:

1. Employees Retirement System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. Police and Fire Retirement System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letters from the Mayor re:

1. Riverpoint Park Grant

REFERRED TO THE COMMITTEES ON
PHYSICAL DEVELOPMENT AND WAYS AND MEANS

2. Notice of Layoffs at General Motors Lansing Automotive Division—Lansing Car Assembly (Body Plant), Lansing Oldsmobile, and General Motors Lansing Craft Centre

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Emergency Management Assistance (EMA) Grant Agreement for FY 92-93

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4. White Ribbons Against Pornography Days (Proclamation)

RECEIVED AND PLACED ON FILE

5. Proposed Bylaws Change for Tri-County Regional Planning Commission and Capital Area Regional Transportation Study (CARTS) Technical Committee

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

6. Letter from Department of Natural Resources Regarding Grant Project #CMC-3-33-00153 and Multi-Family Recycling Services

REFERRED TO THE COMMITTEES ON PUBLIC SERVICES,
WAYS AND MEANS, AND THE CITY ATTORNEY

7. Mission Statement Mayor's Committee on Reorganization

RECEIVED AND PLACED ON FILE

8. ACT-16-92, 1532-34 Lyons Avenue

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

9. ACT-18-92, City Property on Edgewood Rd. and S. Washington Ave.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

10. ACT-25-92, 408 E. Kalamazoo (Review by Waterfront Development Board)

RECEIVED AND PLACED ON FILE

11. ACT-33-92, 1100 Block Baker St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

12. ACT-36-92, 319 Hill Street Alley

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

13. ACT-40-92, River St. Park

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #602

BY THE AD HOC COMMITTEE ON EARLY RETIREMENT

REPORTS AS FOLLOWS: The Committee discussed the Administration's concern relative to the positions that are vacant within the Public Service Department, Personnel Services Department, and Finance Department as a result of certain employees accepting the early retirement option. It was determined that these positions are critical to the operations of the City and should be filled as early as possible.

The Committee recommends, based on the information received, that the Administration be authorized to fill the following:

Two (2) Senior Maintenance Supervisor 33 positions within the O & M Division of the Public Service Department

Four (4) Maintenance Supervisor 30 positions within the O & M Division of the Public Service Department

Assistant Wastewater Superintendent 38 position within the Wastewater Treatment Plant of the Public Service Department

Assistant City Engineer 39 position within the Engineering Section of the Public Service Department

Personnel Job Analyst 32 position within the Personnel Services Department

Two (2) Senior Accountant 32 positions within the Accounting Division of the Finance Department

For information only, no action required.

Signed: Mark H. Canady

Tony Benavides

James Crawford

Steve Duarte

Terry McKane

BY COUNCILMEMBER MARK H. CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

November 16, 1992

RESOLUTION #603

BY THE AD HOC COMMITTEE ON EARLY RETIREMENT

REPORTS AS FOLLOWS: The Committee discussed the Administration's concern relative to the positions that are vacant within the Administrative Services Department, Building Maintenance Division as a result of certain employees accepting the early retirement option. It was determined that these positions should be filled as early as possible.

The Committee recommends, based on the information received, that the Administration be authorized to fill these positions of the Sr. Building Maintenance Supervisor 33 and Heating and Refrigerations Specialist 31. For information only, no action required.

Signed: Mark H. Canady
Tony Benavides
James Crawford
Steve Duarte
Terry McKane

BY COUNCILMEMBER MARK H. CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

November 16, 1992

RESOLUTIONS

RESOLUTION #604

BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council issued a Commercial Facilities Exemption Certificate (#85-009) on December 16, 1985 to Mark Lewis for the construction of a new facility at 1008 Terminal Road, Lansing, Michigan; and

WHEREAS, Dennis A. Sherman having purchased said property at 1008 Terminal Road, Lansing, in 1991, has applied for the transfer of the Commercial Facilities Exemption Certificate (#85-009) for the remainder of the twelve year period the certificate was originally granted for; and

WHEREAS, a hearing was held August 24, 1992, on Dennis A. Sherman's application for a Certificate transfer where all interested parties had an opportunity to be heard; and

WHEREAS, Dennis A. Sherman has met the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies set by this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lansing approves the application for the transfer of the Commercial Facilities Exemption Certificate (#85-009) to Dennis A. Sherman, 1008 Terminal Road, Lansing, Michigan.

By Councilmember Belen

Carried unanimously

RESOLUTION #605

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Canady.

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, December 7, 1992, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing a proposed special land use, SLU-15-92, a request by Joan DeRose, Resident Manager of Colonial Townhouses, Inc. for property commonly known as 2613 Hillcrest Street.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Brockwell

RESOLUTION #606

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Samuel Fata to the Park Board for a term to expire June, 1996, is hereby confirmed.

November 16, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #607

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Sally H. Laurion to the Park Board for a term to expire June, 1995, is hereby confirmed.

November 16, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #608

BY COMMITTEE ON WAYS AND MEANS

11/16/92

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

\$500,000.00 from Pub. Ser.—Wastewater—

Cap. Cont. Fd. Bal.

A/C 590-000000-373001-00000

500,000.00 to Pub. Ser. Wastewater—Ctrl. Acct.

A/C 590-453670-992200-00000

(Purchase of "belt filter press" to replace deteriorated Zimpro unit in sludge dewatering. (Memo Acct. 590-453670-977000-63500)

Submitted by:

Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #609

BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Public Service Department has requested two additional personal computers and related software to be utilized for the City Recycling and Solid Waste Programs; and

WHEREAS, such equipment would be utilized to maintain necessary information for program operation, including participating households, violations, inventories, and required reporting documentation for the City's "Clean Michigan Community" grant; and

WHEREAS, the Michigan Department of Natural Resources has reimbursed the City's 1990-II Environmental Bond Fund for a portion of Transfer Station construction costs in excess of original estimates; and

WHEREAS, changes in the work program for expenditure of 1990-II Environmental Bond Fund proceeds is hereby amended to provide for the purchase of two personal computers and related software at an estimated cost of \$8,804, utilizing the above referenced residuals from transfer station construction.

November 16, 1992

By Councilmember Benavides

Carried unanimously

RESOLUTION #610

SPONSORED BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Ways and Means Committee has reviewed the fees currently being charged for photocopies of city documents and have found a great deal of variation in the fee structure; and

WHEREAS, in an effort to standardize photocopy fees throughout the City the Committee has reviewed the User Fee Study, and has also received recommendations from pertinent administrators; and

WHEREAS, the fees recommended by the Committee recognizes that a significant majority of copies provided by the City are at the request of businesses.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes the following city-wide fees for copies of City documents and records:

A. Photocopies of City documents and records shall be charged at the rate of \$1 for the first page and \$.10 for each additional page.

B. Copies of Ordinances.

1. Ordinances provided by the Planning and Municipal Development Department shall be charged at \$5.00 per ordinance.

2. Ordinances provided by the City Clerk shall be charged at \$.25 per page up to a maximum of \$25 per ordinance. Pre-bound copies of the Traffic and Zoning codes provided by the City Clerk shall be charged at \$25 per ordinance.

C. Certified copies of documents provided by the City Clerk

shall be charged at \$5.00 in addition to the copying charge delineated in item A above.

and

BE IT FURTHER RESOLVED the fees hereby approved do not supersede or replace any specific fee delineated in Resolution #690 of 1990 as adopted by the City Council, nor any copy fee current established in the Police and Fire Departments.

November 16, 1992.

By Councilmember Ford

To amend the resolution to make all copies \$1.00 for the first page and 10¢ for each succeeding page

Defeated by the following vote:

YEAS: Councilmember Ford

NAYS: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Schmidt

ABSENT: Councilmember Brockwell

By Councilmember Canady

To amend the resolution to exclude copies of the Council Agenda from this resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Brockwell

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Canady, Crawford, Schmidt

NAYS: Councilmember Ford

ABSENT: Councilmember Brockwell

RESOLUTION #611

COMMITTEE OF THE WHOLE

WHEREAS, on July 22, 1991, the Lansing City Council reaffirmed its prior commitment for the acquisition of property on the Northwest corner of Cedar Street and East Michigan Avenue, and;

WHEREAS, this acquisition of property is in accordance with the Cedar/Larch District Area Plan, also adopted by the Lansing City Council on May 22, 1989, and;

WHEREAS, the properties located in the City, commonly known as 425, 425 1/2, 427, 429 and 431 East Michigan Avenue and 107, 107 1/2 North Cedar Street (the "Properties"), are located within the Cedar/Larch District Area Plan, and;

WHEREAS, pursuant to Resolution #460, the City Council authorized the acquisition of the Properties pursuant to applicable law, and;

WHEREAS, in accordance with applicable law appraisals of the personal property were conducted by Delta Consultation Services

and real estate appraisals were completed by Malcolm L. Milks, who has since passed away and subsequent appraisals of the real estate were completed on these properties by Terrell R. Oetzel, and;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby ratifies and confirms that the offers to purchase the above-mentioned properties be made, consistent with their fair market value as determined, pursuant to the personal property appraisals by Delta Consultation Services and the real estate appraisals by Terrell R. Oetzel of Oetzel, Hanton & Williams, Inc., Certified Real Estate Appraisers, instead of the preceding real estate appraisals by the now deceased, Malcolm L. Milks. All other terms of Resolution #460 shall remain in full force and effect.

By Councilmember Belen

Carried unanimously

(Resolution #612 on page 351)

RESOLUTION #613

BY COUNCILMEMBER SCHMIDT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on November 12, 1992, former state legislator and Lansing Township official Philip O. Pittenger passed away after a long, valiant battle with cancer; and

WHEREAS, in the early 1960's, Mr. Pittenger served Governor Romney as executive assistant, then held two administrative posts appointed by the governor; and

WHEREAS, in November 1966, Mr. Pittenger won election to the 58th District seat in the Michigan House of Representatives, and he was re-elected in 1968; and

WHEREAS, he became Senator Pittenger in January 1971, representing Lansing and Ingham County in the State Senate for one term, during which he sponsored a concurrent resolution to name I-496 the "Olds Freeway" as a tribute to R. E. Olds; and

WHEREAS, Mr. Pittenger later served as supervisor and then as treasurer of Lansing Charter Township; and

WHEREAS, he devoted his time, energy and skills to a variety of local organizations, including service as president of the North Elementary School PTA and the board of directors of the Old Newsboys Association;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 16th day of November, 1992, hereby expresses heartfelt sympathy to the family of Philip O. Pittenger; and

BE IT FURTHER RESOLVED all Councilmembers honor the life and accomplishments of Phil Pittenger, as well as his outstanding dedication to community service.

By Councilmember Schmidt

That the resolution be adopted by an affirmative roll and that Council, as well as the audience stand and observe a moment of silence in memory of Mr. Pittenger following the reading of the resolution by City Clerk Blair

Carried unanimously

Item XII D-3. Authorization to fill 13 vacant positions in various Departments was pulled from the agenda at the request of Councilmember Canady

ORDINANCES FOR INTRODUCTION

Item XIII A-1. Z-18-92, 1100-1106 W. Ionia Street rezoning from "B" Residential District to "D-2" Residential/Office District and setting a public hearing for December 7, 1992 was pulled from the Agenda at the request of Councilmember Canady

ORDINANCES FOR PASSAGE

There are no Ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a letter from Ms. DelRae Finnerty regarding a problem with the Building Department

REFERRED TO THE MAYOR

2/ From Councilmember Ford 390 petition signatures relative to the funding of GNS Cable Channel 39 for inclusion with Item XII C

REFERRED TO THE MAYOR, THE CITY ATTORNEY, AND THE COMMITTEE ON WAYS AND MEANS

3/ From Councilmember Schmidt a resolution of tribute in memory of Phillip Pittinger

HANDLED AS RESOLUTION #613

REMARKS BY THE MAYOR

Mayor McKane announced that the City will be closing the CSO project work for the winter sometime the end of November or beginning of December depending on the weather. We will now begin repaving the roads. Councilmember Ford asked when Cambridge Road would be repaved. Mayor McKane announced the schedule for all repaving.

REMARKS BY COUNCILMEMBERS

Councilmember Beal responded to Ms. Sabia Whitbeck's remarks on the early retirement program. Council is not taking a piecemeal approach to filling these positions. This is a difficult process to deal with and the first thing is to establish a reorganization plan. People who are retiring are critical in terms of training their replacements. There are a number of employees who are not taking the early retirement. She has been asked how an elected official who served part-time for so many years is eligible for retirement benefits. City Attorney Knot explained that the ordinance states that any elected official can make written application for entry into the retirement system to the Board of Trustees upon taking office.

Councilmember Schmidt asked Mayor McKane to announce the Silver Bells in the City Program taking place this Thursday and Friday. The Mayor announced that Thursday at 12:00 the re-dedication of the State Capital will begin. There will be events all day and into the evening. The Silver Bells in the City Celebration will begin Friday at 5:45 and feature the lighting of the Christmas Tree by Governor Engler and himself. The Capital will be open that evening. Many Bell Choir groups will be performing on the street corner's downtown. Councilmember Schmidt thanked Joseph Pandey for coming in to explain the explosion and subsequent

contamination problem. She complimented the Staff at the Board of Water & Light for the care they took to protect residents.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. asked what right Council has to limit the time of public comments to three minutes. What right do they have to stop the audience from applauding comments that people make. What right do they have to arrest citizens in these chambers. The chambers belong to the citizens of the city.

Lloyd Teets of 116 E. Elm St. asked for discussion about the joint meeting between Council and the Board of Water & Light tomorrow night. He has information for the meeting. Next week the Board will run another full page ad in the State Journal. Maybe people are getting the idea that this is not the best run company in the world.

Douglas Fairbanks of 107 May St. said the State Journal is not fair to Councilmembers when they bury articles about them in the back pages.

Earl T. Pauley, Jr. of 601 N. Cedar suggested that Mayor McKane run for Governor in the next gubernatorial election. He asked Councilmember Ford to do something about the speed limits on Kalamazoo St. before some small children are injured. Mayor McKane agreed to have the Traffic Department investigate his complaint.

Jerry O'Neil of 616 Orchard St., E. Lansing asked for help with a rezoning he applied for over 18 months ago. He attended a Planning Board Meeting in August 1991, but has heard nothing since.

Harold Leeman of 529 N. Francis asked Mayor McKane when the Committee Studying the Future of the Board of Water & Light will meet next. He requested that Mayor McKane require the meeting to be held in a public building and have the agenda's posted. He asked what time the public would be welcome at tomorrow's joint meeting of Council and the Board of Water & Light. He reported a rumor that an elected city official would be attending the National League of Cities Convention in New Orleans and the City would be paying for it. President Crawford referred this issue to the Committee of the Whole for Thursday's agenda.

Dolores Gulley of 3180 Arcadia Drive said she enjoyed the Special Ceremony tonight. She complimented the Police Department and the Fire Department on their response to an emergency situation she was recently involved in.

Jim Garland of 3408 Trappers Cove, Director of the Ingham, Eaton, and Clinton County Recycler's said that apartment complexes have control of what is being dumped into their dumpsters. Other private companies offer good services for curb-side pickup to apartment complexes. Granger is not the only company that can provide this service to apartment complexes. His organization would be happy to help get these programs developed in the way that they were meant to be.

ADJOURNED 9:35

JAMES D. BLAIR, CITY CLERK

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OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, November 23, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
November 23, 1992

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was led by Councilmember Benavides and the Pledge of Allegiance was led by Cub Scout Pack #402, Den One

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings of October 2, 1992 and November 2, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal a request that Item VIII B., letter from Daryll Burgess regarding the Civic Center, be read into the record during the public hearing on the rezoning petition for the Civic Center

2/ From Councilmember Schmidt a letter from Harold J. Bell of 1430 Roseneath suggesting an alternate placement for street signs giving them greater visibility

3/ From Councilmember Brockwell a request that the rules be suspended to allow a representative from Sparrow Hospital to present a short video tape of their proposed master plan during the public hearing on their rezoning request

Carried Unanimously

SCHEDULED PUBLIC HEARINGS

A. Z-05-92, 118, 122, 124, and 126 N. Eighth St., in consideration of rezoning request from "DM-3" Residential District to "J" Parking District by Sparrow Hospital

President Crawford announced that the Public Hearings in consideration of Z-19-92 and ACT-08-92 for Sparrow Hospital will be held simultaneously.

Joe Dumore, President of Sparrow Hospital, showed a video presenting their site plan for the next 20 years. The plan was

developed at the request of City Council. This is their Master Facilities Plan for development of a Regional Medical Center.

The following people spoke in support of the rezoning requests and the request for air rights over Michigan Avenue:

- Joe Dumore of Sparrow Hospital
- Mary Margaret Murphy Woll of 210 Ferguson
- Don Colizzi, President of Davenport College
- Patrick Bridges of the Chief Okemos Boy Scout Council
- Dick Northrop of 1251 Stonegate Lane, E. Lansing
- Ellen Hufnagel of 3126 W. Colony Rd., St. Johns
- Mike Bacon of 1305 Sandpoint Drive
- Pat Brooks of 215 Marshall St.
- Dan Hagfors of 2712 Pattengill
- Joseph Manson of 1700 Nottingham
- Kenneth Gruber, Executive Director, Impression 5 Museum
- Cheryl Armstrong on behalf of American Red Cross
- David Cramson, Radial Oncology Practitioner, Sparrow
- Clyde Smith 2244 Tecumseh River Drive
- Reza Tovakoli of 2228 E. Grand River
- Steve Guertin, Dir. of Children's Intensive Care, Sparrow
- Mel Farmer of 3707 Ridgefield
- Bob Setter, Business owner at 825 & 912 E. Michigan Ave.
- Cathy Ryan, eastside resident
- Curtis Leichty, Chief of Medical Staff at Sparrow
- Dennis Albert of 1208 Eureka
- Ron Rule, Emergency Physician at Sparrow
- Joann Marlan of 2131 Forrest
- Duane Vernon of the Credit Bureau of Greater Lansing
- John Burke of Community First Bank
- Douglas Fairbanks of 107 May St.
- Loren Nichols of 6130 Marscott Dr.
- Harold Leeman of 529 N. Francis

and the following people spoke in opposition:

- Malcolm Compitello of 215 Marshall
- Dick Berry of 1228 Eureka
- Lloyd Teets of 116 East Elm St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. Z-19-92, 1222 E. Michigan Avenue, in consideration of rezoning request from "D-1" Professional Office District, "F" Commercial District, "F-1" Commercial District and "J" Parking District to "DM-4" Residential District for Sparrow Hospital in conjunction, this hearing will also be for consideration of:

ACT-8-92, Sparrow Hospital Request for air rights over East Michigan Avenue

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. Z-20-92, Two Block Area Bounded by Allegan, Pine, Wash-

tenaw and Walnut (Civic Center), in consideration of rezoning request from "DM-3" Residential and "F" Commercial Districts to "G-1" Business District

Betty Kost of 1425 McIntyre Court said there seems to be a great deal of confusion about this rezoning. She asked for clarification from President Crawford, but, he did not call her back. Last week a Councilmember made the statement that this rezoning was for the parking lot only, but, other people have told her it will allow for construction of a building in the parking lot. She believes there is a conflict of interest on this because Joel Ferguson, the purchaser, contributed heavily to Citizens for Choice in Lansing. This is the group that lobbied against term limitations for elected city officials. The Civic Center is a memorial to the veterans of this city who lost arms, legs, and in some cases their minds fighting to protect us. The agreement for the sale of the Civic Center is nothing more than a piece of paper. Do not put it above the people who fought to protect us. Senior Citizens use the Center to house their organizations and they will be put out of a home too.

Gary Andrews of 560 Brookland Blvd. said he first became involved with the Civic Center when he was 3-4 years old. He remembers the dedication ceremony and the many events over the years of his life that were held there. It is a crime to take the Civic Center away from the Veterans. This is stealing our cultural heritage away from us.

Harold Leeman of 529 N. Francis asked for an explanation from the City Attorney, a Councilmember, or the Mayor as to why citizens did not have an opportunity to vote on the sale of the Civic Center. Councilmember Belen responded that nothing in the Charter provides that the citizens must have a vote on it. Mayor McKane said that the citizenry could force a vote through a petition drive. Councilmember Schmidt asked for clarification of a statement in the Planning Board letter written by James Foulds recommending the rezoning of this property. The letter states that the Civic Center will remain through the first phase of development. She would like an explanation of what that means. The Senior Consortium Board wants to know when they will have to move. The letter of credit on this agreement has to be renewed by December 31, every year, or the contract becomes invalid. She asked Councilmember Canady for detailed information about the office space for veterans that Council and the Mayor have promised them, and on the facilities for Lansing Seniors. Councilmember Canady said that the Physical Development Committee will take this matter under consideration Wednesday morning at 8:30. There are no current plans, nor will there be any plans in the future, for demolition of the Civic Center. Therefore the current tenants can rest assured of their tenancy. The letter of credit is guaranteed, but, Physical Development will look at the issue of the expiration date mentioned by Councilmember Schmidt. Councilmember Belen said she cannot attend the Physical Development meeting at 8:30 Wednesday morning, but, wants assurances that they will get at least part of the \$500,000 before any building goes on the parking lot. Mayor McKane assured Council that the day before the letter of Credit expires Mr. Duarte will cash the letter and put the money in an interest bearing account.

Council President Crawford declared a 5 minute recess at 8:50 P.M. Council reconvened at 8:55 P.M.

Deputy City Clerk, Marilyn Slade read a letter from Darryl Burgess

of 1407 Prospect protesting the rezoning, sale, and future use of the Civic Center

DEAR COUNCIL MEMBERS,

ON MONDAY NOVEMBER 23rd 1992, THIS COUNCIL WILL CONSIDER A REQUEST BY THE CITY OF LANSING TO REZONE THE CIVIC CENTER FROM "DM-3" Residential and "F" Commercial Districts to "G-1" Business Districts. As you know, this is to bring the property in line with the sale agreement between Heart of the City Associates and the City of Lansing.

Although this City Council, as well as Mayor Terry McKane, are touting Lansing as a convention mecca, SECTION 713 OF THE CIVIC CENTER SALE CONTRACT prohibits the new owners from using the Civic Center for conventions. I am told that this is to protect the Lansing Center from competition. In my opinion, this argument is flawed. In my opinion, a renovated Civic Center would COMPLEMENT the Lansing Center, even if it was privately owned. I would like to point out that SECTION 713 OF THE CIVIC CENTER SALE CONTRACT also prohibits a hotel from being built on the site. IN THIS CASE, THE CITY OF LANSING IS PROTECTING A PRIVATELY RUN HOTEL FROM COMPETITION. WHAT IS GOING ON HERE? Why were the citizens of Lansing not permitted to vote on the Civic Center sale?

In a few days, this council will vote on the issue of rezoning, the CIVIC CENTER. By rezoning the property and restricting its use, this will almost certainly end with the Civic Center being DEMOLISHED, to make way, for another office building. The City of Lansing has turned its back on 50,000 square feet of convention space, a 5,400 seat auditorium, and worst of all, A LIVING MEMORIAL TO THE VETERANS WHO DIED FOR OUR FREEDOM.

Please do not confuse the rampant apathy you see as support for what is going on. Please consider these thoughts as you consider rezoning this building that has served our community for over three decades. Thank you for your time.

P.S. I REQUEST THAT MY COUNCIL PERSON, MS. BEALS, MAKE A FORMAL MOTION TO READ THIS ENTIRE LETTER ALOUD AT THE NOVEMBER 23rd COUNCIL MEETING. If Ms. Beals does not wish to make such a motion, I REQUEST THAT ANY COUNCIL PERSON MAKE A MOTION TO READ THIS LETTER INTO THE RECORD ALOUD AT THE NOVEMBER 23rd COUNCIL MEETING. Thank You.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. noted that three more houses of the 147 scheduled for make-safe or demolish procedures are on tonight's agenda. He said that he would be happy to subsidize the City Market if we were subsidizing the vendors and not a failed bureaucrat from the Parks and Recreation Department. He asked why Councilmembers would trust City Clerk Blair to go to the League of Cities Convention. He is opposed to him going on city money, as he is opposed to all such travel money being spent until they can put in a clock that will be visible to the people who are making public comment.

Douglas Fairbanks of 107 May St. asked what the licenses for Peddler's and Transient Merchants entail.

Harold Leeman of 529 North Francis asked what is happening with the Fairview Park resolution. It is not in the black book again. He suggested that Council have someone in New Orleans check on the City Clerk in his duties as a representative of the City of Lansing at the National League of Cities Convention. He said he will ask Santa Claus for a clock for council.

SPECIAL CEREMONIES

There were no Special Ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Notice from the Department of Natural Resources of application for a permit for sewerage system construction by the City of Lansing for Arbors Condominiums

REFERRED TO THE MAYOR

B. Letter from Darryl Burgess of 1407 Prospect St. regarding the Civic Center sale, rezoning, and use

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR MAY COMMENT

Mayor McKane reviewed the following letters on tonight's agenda: #1 Progress report on the Capital Area United Way Campaign. He thanked the employees of the City who have come forward and made donations, some in spite of their retirement. #3 Recommendation for an amendment to the Code of Ordinances to allow for a new chapter dealing with user fees for Ambulance Service. #9 Memo from the City Attorney regarding a lawsuit against Gay Powers of 106-108 Island. #10 proposed child care institution on Glencoe. #11 Distinguished Budget Presentation Award given to Jan Lazar, Budget Director. He welcomed his wife to the audience. Tonight is their 24th Wedding Anniversary and they wanted to be together.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #614** November 23, 1992
President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PEDDLER/TRANSIENT MERCHANT: Jacoe Auman, Charles L.

Rierson, Jr.

PUBLIC DRIVER: Michael Ernest Perez, Kenneth Robert Korkoskie, Jr.

SECOND HAND DEALER: Wheeler Dealer Consignment Shop

NEW SDM: Mooney Oil Corp

Sincerely,

James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 16, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk questioning procedures used to make changes in the City of Lansing General Employees Retirement System Ordinance

REFERRED THE THE MAYOR, CITY ATTORNEY, AD HOC COMMITTEE ON EARLY RETIRMENT

C. Letters from the Mayor re:

1/ Progress Report—Capital Area United Way

RECEIVED AND PLACED ON FILE

2/ Z-20-92, Allegan/Washtenaw/Pine/Walnut Streets

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ Ambulance Fees Ordinance—New Chapter 876

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Traffic Control Request: Maryland Avenue and May St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5/ Traffic Control Request: Marion Avenue and Victor Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Parking Regulation Change: Washington Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7/ Parking Regulation Change: Wayburn Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8/ Parking Regulation Change: Markley Place

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9/ City of Lansing V Gay Powers, 106-108 Island

RECEIVED AND PLACED ON FILE

10/ Letter from Department of Social Services Regarding Proposed Child Caring Institution at 2132 Glencoe

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE CITY ATTORNEY

11/ Distinguished Budget Presentation Award Earned by Jan

Lazar, City of Lansing Budget Director

RECEIVED AND PLACED ON FILE

12/ Letter of Appreciation to Building Safety Division Regarding
7-Eleven Store, Jolly/Aurelius, Lansing, MI

RECEIVED AND PLACED ON FILE

13/ Request for Angle Parking in the Public Right-of-Way: Capitol
Avenue, Kilborn Street and Seymour Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14/ Traffic Control Request: Dakin Street and Gray Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

RESOLUTION #615

BY THE AD HOC COMMITTEE ON EARLY RETIREMENT

REPORTS AS FOLLOWS: The Committee discussed the Administration's concern relative to the positions that are vacant within the Police Department as a result of certain employees accepting the early retirement option. It was determined that these positions should be filled as early as possible.

The Committee recommends, based on the information received, that the Administration be authorized to fill these positions of the Secretary II 26 and a Principal Clerk 24. For information only, no action required.

Signed: Mark H. Canady
Tony Benavides
James Crawford
Steve Duarte
Terry McKane

BY COUNCILMEMBER MARK H. CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #616

ACT-16-92

1532-34 LYONS AVENUE

Committee Report of the Physical Development Committee

The City Council committee on Physical Development considered the offer to donate land at 1532-34 Lyons Avenue to the City and concurs with the Planning Board's recommendation to not accept the donation because of a lack of public purpose.

By Councilmember Canady

Carried unanimously

RESOLUTION #617

ACT-33-92

100 BLOCK BAKER STREET

Report of the Committee on Physical Development

The Council Committee on Physical development concurs with the recommendation of the Planning Board to not sell any of the City

owned land along the south side of Baker Street at the present time to include the Michigan Bell Telephone Company.

By Councilmember Canady

Carried unanimously

RESOLUTION #618

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the Make-Safe or Demolish order for the property located at 2420 S. Pennsylvania,

REPORTS AS FOLLOWS: At the time this order was forwarded to the Committee the property was seriously dilapidated and had an assessed value of \$2,000. The Committee held this order in abeyance while work proceeded on this property. Approximately \$30,000 has been invested in repair and renovation work and, at this time, the property is suitable for occupancy.

This report is for information only and no Council action is necessary.

Signed: Robert Brockwell
Tony Benavides
Ellen Beal
Committee on Public Services

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

November 23, 1992.

RESOLUTIONS

RESOLUTION #619

ACT-18-92

EDGEWOOD BOULEVARD

EXCESS CITY LAND

By the Committee on Physical Development

WHEREAS, Mr. Robert Reedy and Mr. Harold Brown have offered to acquire the excess City land bounded by South Washington Avenue, Edgewood Boulevard and I-96 expressway for the purpose of developing residential housing.

WHEREAS, the City owned land in this area consists of the following parcels:

1. A triangular parcel containing approximately 5800 sq. ft. bounded by South Washington, Edgewood Boulevard and a segment of Sawyer Road.

2. Sawyer Road right-of-way between Washington Avenue and Edgewood Boulevard.

3. Portions of Lots 9 to 12 of Supervisor's plat of Radio Estates and containing about 2 acres, located south of Edgewood to I-96 and east of the parcels fronting South Washington.

4. A triangular shaped parcel of land that is east of a line parallel to and 50 ft. west of a line extended south of the west right-of-way line of Cooper Road.

WHEREAS, the Planning Board has reviewed the request under the

provisions of ACT 285 of Michigan Public Acts of 1931, as amended and has unanimously recommended that the above described parcels 1, 2 and 4 be retained by the City and the 2 +/- acre parcel (#3 above) be sold at fair market value for low density housing development under the provisions of the planned residential development (PRD) provisions of the City's Zoning Code; and

WHEREAS, the Physical Development Committee of the Lansing City Council concurs with the recommendation of the Planning Board; and

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council approves the disposal of the portions of land in parcels 9 to 12 of Supervisors's plat of Radio Estates at fair market value for low density residential development; and

FURTHER BE IT RESOLVED that a single access drive to this property be authorized from Edgewood Boulevard and developed at the developer's expense; and

FINALLY, BE IT RESOLVED that the remaining three parcels as described by the Planning Board be retained by the City for public purposes.

By Councilmember Canady

Carried unanimously

RESOLUTION #620

ACT-36-92

319 HILL STREET ALLEY

By the Committee on Physical Development

WHEREAS, Mr. Don Behrens of 319 Hill Street petitioned the City of Lansing to vacate the portion of the alley adjacent to his parcel of land at this address so that he could expand his business structure; and

WHEREAS, the alley was platted in the A O Bement's Replat and Addition and it is unimproved, is 13 feet wide and extends south approximately 280 feet from the south line of Prospect Street right-of-way to a line connecting Lots 8 and 25 of the A O Bements Replat and Addition.

WHEREAS, the Planning Board has reviewed the request under the provisions of ACT 285 of Michigan Public Acts of 1931, as amended, and determined that there are no plans or requirements to retain this alley and that there may be a non-functioning sewer line in the alley right-of-way; and

WHEREAS, the Planning Board unanimously recommended that the alley be vacated and that any expansion and development plans for using the right-of-way be coordinated with the City's Public Service Department and appropriate easement be maintained as required; and

WHEREAS, the Physical Development Committee of the Lansing City Council concurs with the recommendation of the Planning Board; and

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council vacates the above described alley and establishes a full width sewer easement which can be utilized for development by the gaining property owners with the approval of such develop-

ment plans by the City's Public Service Department.

By Councilmember Canady

Carried unanimously

RESOLUTION #621

ACT-40-92

River Street Park

By the Committee on Physical Development

WHEREAS, the Cherry Hill Neighborhood requested that the name of "River Street Park" be changed to Cherry Hill Park and that the Lansing Parks and Recreation Board has recommended the name change; and

WHEREAS, the Planning Board has reviewed the request to change the name and recommends its change to Cherry Hill Park to promote the neighborhoods identity and interest in the park; and

WHEREAS, the Lansing City Council's, Physical Development Committee concurs with the recommendation of the Planning Board to change the name of River Street Park to Cherry Hill Park; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby establish the name of "Cherry Hill Park" for the formerly named "River Street Park."

BE IT FURTHER RESOLVED that the boat ramp known as Sweeney's Landing be retained.

By Councilmember Canady

Carried unanimously

Item XII A-4. Fairview Park resolution was pulled from the agenda at the request of Councilmember Canady

RESOLUTION #622

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1005 Beech Street, legally described as:

3301 21 278 020

N 2 R of W 8 R Lot 2, Block 221, Original Plat

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 27, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 12,

1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within Sixty (60) days from the date of this resolution November 23, 1992, or no later than January 30, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #623

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1121 Cleveland, legally described as:

3301 10 328 201
Lot 50, Farrand's Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on August 27, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 12, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution November 23, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #624

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 916 West Lapeer, legally described as:

3301 17 226 131
W 38 ft of E 88.38 ft Lot 4, White's Sub W of Butler

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 23, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on September 8, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution November 23, 1992; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #625

BY THE COMMITTEE ON PUBLIC SERVICES AND WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the two Committees have held a joint meeting to review the \$10 (ten dollar) per square foot Municipal Market rental rate recommended by the Mayor; and

WHEREAS, the Committees have determined that while a rate reduction to keep and attract vendors is appropriate, a more tempered reduction in rates for a limited period of time is appropriate; and

WHEREAS, during the interim time period established in this resolution it is the intent of the Committees to explore and pursue the concept of establishing a non-profit board to manage the Municipal Market.

NOW, THEREFORE, BE IT RESOLVED the long term, seasonal, and monthly rates are established at \$13.50 (thirteen dollars and fifty cents) applicable in both wings of the Municipal Market on an interim basis from December 1, 1992 to April 1, 1993; and

BE IT FURTHER RESOLVED that the Mayor is requested to authorize Mr. Steve Dougan, Budget Analyst and former Market Master, and Mr. Phil Dorland, Deputy Parks Director, to join Mr. Greg Koessel, City Council Financial Analyst, as members of a support team to assist the Mayor's Market Advisory Board in researching the concept of establishing a non-profit market management board.

November 23, 1992.

By Councilmember Brockwell

To accept a friendly amendment suggested by Councilmember Ford to amend the fourth paragraph to state that: "the long term, seasonal, and monthly rates are established at \$13.50 (thirteen dollars and fifty cents) per square foot applicable in both wings of the Municipal Market on an interim basis from December 1, 1992 to

April 1, 1993; and" and to place an affirmative roll on the resolution as amended

Carried unanimously, Councilmember Canady Absent

RESOLUTION #626

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, travel at City expense to conventions, conferences, workshops and seminars by elected officials and employees is normally justified by the information learned and brought back to Lansing, as well as development of contact networks and enhancement of skills with which to perform their responsibilities; and

WHEREAS, the benefit to the City of such travel is negated when an elected official or employee retires, resigns, or terminates for any other reason soon after taking a City-paid trip;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby establishes a policy that elected officials and employees who have accepted, or are considering accepting, the 1992 Early Retirement Incentive shall be discouraged from traveling at City expense to conventions, conferences, workshops and seminars between now and January 4, 1993; and

BE IT FURTHER RESOLVED it shall also be the policy of the City of Lansing that elected officials in the last year of their current term who are not candidates for re-election, who are not candidates for another City elective office, or who have been defeated in a re-election attempt, commonly known collectively as "lame ducks", shall be discouraged from traveling at City expense to conventions, conferences, workshops and seminars prior to leaving office.

November 23, 1992

By Councilmember Schmidt

To amend the resolution to prohibit this trip to New Orleans by the City Clerk

Defeated by the following vote:

YEAS: Councilmembers Schmidt, Crawford

NAYS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford

ABSENT: Councilmember Canady

By Councilmember Benavides

To place an affirmative roll on the resolution as written

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Crawford, Schmidt

NAYS: Councilmembers Brockwell, Ford

ABSENT: Councilmember Canady

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a request that Item VIII B., letter from Daryll Burgess regarding the Civic Center, be read into the record during the public hearing on the rezoning petition for the Civic Center

DEPUTY CITY CLERK, MARILYNN SLADE, READ MR. BURGESS'S LETTER INTO THE RECORD DURING THE PUBLIC HEARING ON THE REZONING OF THE CIVIC CENTER

2/ From Councilmember Schmidt a letter from Harold J. Bell of 1430 Roseneath suggesting an alternate placement for street signs giving them greater visibility

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

3/ From Councilmember Brockwell a request that the rules be suspended to allow a representative from Sparrow Hospital to present a short video tape of their proposed master plan during the public hearing on their rezoning request

THE RULES WERE SUSPENDED AND MR. JOE DUMORE PRESENTED A VIDEO DETAILING SPARROW HOSPITALS SITE PLAN FOR THEIR PROPOSED REGIONAL MEDICAL CENTER DURING PUBLIC HEARING V A. AND V B.

MAYOR'S COMMENTS

Mayor McKane announced that, as this Thursday is Thanksgiving, there will be no solid waste or recycling pickup. Pickup will recommence on Friday and will run one day late. There will be no parking meter enforcement on Thursday or Friday in the City. Next week is the last week of yard waste collection for the year. Yard waste collection will resume in April 1993.

COUNCILMEMBERS COMMENTS

Councilmember Beal said that if any residents are interested in the matter of the request for angle parking on Capital, Kilborn, and Seymour, this matter will be dealt with at the Public Safety Committee meeting this Wednesday.

Councilmember Schmidt announced that Public Safety will meet this Wednesday at 2:00 P.M. following the meeting of the Committee on Ways and Means. They have several items referred to them from the Mayor's Office. She reported receiving a fax today asking for help collecting donations for a 'Toys for Tots' program. Anyone interested in making a donation may take them to Bristol Square Apartments. She reminded everyone that raking your leaves into the streets and gutters is against the law. Street sweepers will be out. The program has lost supervisory staff, but is running on schedule. She wished a Happy Thanksgiving to everyone.

Councilmember Brockwell wished Happy Thanksgiving to everyone here and at home. Please enjoy the Holidays.

Councilmember Benavides announced that Cristo Rey Community Center will be serving Thanksgiving Dinner on Thursday between the hours of 12:00 and 1:00 P.M.

CITIZENS COMMENTS

William Bernstein of 420 Baker St. demanded that a time clock be put in that is in clear view of the people making public comment because he does not trust Council's timer. Council, he said, neither has the right to put a limit on the time that public comment will be allowed to last, nor, do they have the right to prevent the audience from applauding public comments.

Betty Kost of 1425 McIntyre Court read the speech that was written for the dedication of the Civic Center.

Gary Andrews of 560 Brookland Blvd. said he attempted to stop the rape and sale of the Civic Center. He asked Councilmembers how they would feel if their constituents decided to execute them because they were no longer useful. He said that there must be money changing hands behind the scenes. The Civic Center should be preserved for the use of the City of Lansing. Everyone involved in this rotten deal will be judged, he said. Ferguson's donations to their campaign will ensure that they vote his way. They are letting the Civic Center go to waste and they are guilty of a cultural crime.

Douglas Fairbanks of 107 May St. said everyone on Council is doing a fine job and that everyone who came up here had mouthing Council should get off welfare and get a job.

Lloyd Teets of 116 E. Elm St. said there is a better way for the City to handle demolitions. There are two provisions in the code, one for substandard buildings, and one for dangerous or unsafe buildings. The provisions for substandard buildings require court proceedings. That is the way these demolitions should be handled, with a court order. This is what judges are trained to do. He accused Mayor McKane of breaking his contract with the electors of the City. It may not be illegal for him to retire, but it is unethical. He urged the Mayor and the City Clerk not to take the early retirement, and to finish their terms, fulfilling their contract with the people of the City.

Harold Leeman of 529 N. Francis asked Mayor McKane to extend the leaf pickup program because the weather has not allowed people to get their yard waste ready to be picked up. Eleven years ago when Mayor Graves retired, he felt that he was entitled to sick pay and vacation pay when he left, but the new administration decided that he was not. He urged the Mayor and the City Clerk not to take the early retirement. This would give someone else the advantage (as the incumbent) in the next election. He wished everyone a Happy Thanksgiving, and said he does not want to be bothered with announcements of early retirement on TV over the Holidays.

ADJOURNED 10:20

JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

395

Proceedings, November 30, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
November 30, 1992

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by Council President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Schmidt

ABSENT: Councilmembers Canady, Ford

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides Introduction of an Ordinance to amend Part Two by adding a new chapter, Chapter 876, providing for charges for Lansing Fire Department Ambulance Services, and setting a public hearing for December 14, 1992

2/ From Councilmember Benavides a letter from Mayor McKane regarding a joint dispatch operation for the Lansing Police and Fire Department Emergency Services

3/ From Councilmember Benavides recommendations from the Lansing Neighborhood Council Retirement Reorganization Ad Hoc Committee

4/ From Councilmember Belen a resolution for extension of Sanitary Sewer Service to Lansing Charter Township

5/ From Councilmember Schmidt a letter from Council President James Crawford to William Bernstein answering his questions about Council Rules

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke regarding the resolution and proclamation declaring November 29, through December 5, 1992 as Public Power week in Lansing. This is the only public power Company in the State of Michigan that has its' own generating capacity. Other utility companies buy power from generating facilities. In his opinion Indiana Michigan Power Company is a better company than Consumers Power.

Harold Leeman of 529 N. Francis asked Councilmember Benavides about the report from the Committee on Ways and

Means regarding travel expenses of people who are going out of town on City expense fund money. This issue was referred to his committee last week. Councilmember Benavides said they would report out on this matter next week. Mr. Leeman asked that the rezoning for Civic Center property be held up for one week to allow for assurances from Joel Ferguson that he will follow through with the financial agreement.

Douglas Fairbanks of 107 May St. suggested that the city do a cost comparison on other states to see what their utilities are charging. Utility customers up north pay higher rates than we do down here.

Gary Andrews of 560 Brookland Blvd. criticized Council for passing the rezoning of the Civic Center contrary to public opinion. The City should not take action to sell the Civic Center without this issue going to a vote of the people. He said that Council has stacked the deck in Mr. Ferguson's favor. There was a viable plan to make \$2,000,000 per year from the Civic Center but everyone has conveniently forgotten it.

William Brenke of 711 Riley spoke in support of the Board of Water & Light. He owns three different houses in Michigan. He uses three different utility companies and wishes that he could get all of his utility services from the Board. They provide excellent emergency services, as well as excellent response to routine problems. He has called them in relation to problems at the Brenke Fish Ladder and they respond within ½ of an hour.

SPECIAL CEREMONIES

A. Mayor McKane presented a Proclamation declaring November 29 through December 5, 1992 PUBLIC POWER WEEK in Lansing to Roger Ophaug of the Board of Water & Light in honor of their 100th anniversary. Councilmember Schmidt presented Mr. Ophaug with a similar resolution from City Council. Mayor McKane congratulated Mr. Ophaug on a job well done. Mr. Ophaug thanked Mayor McKane and Council on behalf of the Board and its' employees and said that they plan to be around for another 100 years.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Customer Notice from Continental Cablevision regarding Customer Rights

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor McKane outlined his letter #1, recommendation from the Planning Board that the city annex property in Delta Township, #3,

a reminder of Council action regarding 1993 Golf Fees.

CITY OFFICER AND BOARD REPORTS

A. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 23, 1992 for Review

RECEIVED AND PLACED ON FILE

B. Notice from Finance Director, Stephen Duarte regarding deadlines for filing Notice of Acceptance for Reduction In Force (RIF) Early Retirement Incentive

RECEIVED AND PLACED ON FILE

C. Letter from the Mayor re:

1/ City Owned Land in Delhi Township

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ 1992 Golf Fees

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ LS-26-92, 5600 S. Washington Ave., Southwest Corner Northrup/Washington Ave.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #627 11/25/92
THE COMMITTEE ON PHYSICAL DEVELOPMENT

To whom was referred the rezoning petition Z-20-92, Allegan, Washtenaw, Pine and Walnut Streets to be rezoned from "DM-3" Residential and "F" Commercial Districts to "G-1" Business District

Reports as follows: That said rezoning be approved

SIGNED: Mark Canady, Chairman
Lucile Belen
James Crawford

By Councilmember Benavides

Carried unanimously

RESOLUTIONS

RESOLUTION #628
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michigan's Capital City has one of the oldest and most successful municipally-owned utilities in the world; and

WHEREAS, the People of Lansing are both customers and owners of our public power system; and

WHEREAS, the Board of Water and Light is a member of the American Public Power Association, which celebrates Public Power Week each year to increase people's awareness about the many advantages of having our electric utility in public ownership;

and

WHEREAS, Public Power Week 1992 is especially significant here in Lansing, coinciding with the 100th anniversary of the first electrical service provided by the Board of Water and Light;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 30th day of November, 1992, and in recognition of Public Power Week 1992, hereby commends the Board of Commissioners and staff of the Board of Water and Light for 100 years of outstanding service to our community.

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

ADDING A NEW CHAPTER, 876 OF PART TWO CHARGES FOR LANSING FIRE DEPARTMENT AMBULANCE SERVICES

By Councilmember Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Adding Chapter 876 of Part Two, Charges for Lansing Fire Department ambulance services; To attempt to equalize payments of users for operation and maintenance of the Emergency Medical Services System; To provide for settlement of compromise billings when deemed in the best interest of the parties

Was introduced by Councilmember Benavides, read a first and second time by its' title and referred to the Committee on Ways and Means

RESOLUTION #629
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 14, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part Two, by adding a new Chapter 876, of the Code of Ordinances of the City of Lansing, Charges for Lansing Fire Department Ambulance Services

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER BENAVIDES

That we move to the passage of ordinances.

BY COUNCILMEMBER BENAVIDES

That the Ordinance, when read, be considered as being read in its' entirety.

BY COUNCILMEMBER BENAVIDES

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-20-92, Area Bounded by Allegan, Pine, Washtenaw and Walnut Streets (Civic Center) rezoning from

"DM-3" Residential and "F" Commercial Districts to "G-1" Business District be placed on order of immediate passage.

BY COUNCILMEMBER BENAVIDES

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-20-92, Area Bounded by Allegan, Pine, Washtenaw and Walnut Streets (Civic Center) rezoning from "DM-3" Residential and "F" Commercial Districts to "G-1" Business District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Schmidt

NAYS: None

ABSENT: Councilmembers Canady and Ford

ORDINANCE #02351

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-20-92, Area bounded by Allegan, Pine, Washtenaw and Walnut Streets (Civic Center)

Parcel Numbers: 3301-16-306-001 and 3301-16-307-002

Legal Description: Blocks 118 and 119, Original Plat, City of Lansing, including vacated portion of Chestnut Street between Washtenaw and Allegan Streets, City of Lansing, Ingham County, Michigan From "DM-3" Residential and "F" Commercial Districts to "G-1" Business District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take affect thirty (30) days from its passage unless given immediate affect by the City Council.

JAMES D. BLAIR,
CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides Introduction of an Ordinance to amend Part Two by adding a new chapter, Chapter #876, providing for charges for Lansing Fire Department Ambulance Services, and setting a public hearing for December 14, 1992

HANDLED AS RESOLUTION #629, AND
REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ From Councilmember Benavides a letter from Mayor McKane regarding a joint dispatch operation for the Lansing Police and Fire Department Emergency Services

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ From Councilmember Benavides recommendations from the Lansing Neighborhood Council Retirement Reorganization Ad Hoc Committee

REFERRED TO THE AD HOC COMMITTEE ON EARLY RETIREMENT AND THE MAYOR'S COMMITTEE ON REORGANIZATION

4/ From Councilmember Belen a resolution for extension of Sanitary Sewer Service to Lansing Charter Township

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

5/ From Councilmember Schmidt a letter from Council President James Crawford to William Bernstein answering his questions about Council Rules and a request that the letter be read into the record

RECEIVED AND PLACED ON FILE

November 24, 1992

Mr. William Bernstein
420 Baker Street
Lansing, Michigan 48910

Dear Mr. Bernstein:

You have asked two questions about the City Council Rules, and I am responding in writing as I said I would.

When the City Council revised our Rules last year, we debated at length about how much time members of the public should have to address us during our meetings. City Charter Section 3-103.4 says, "The rules shall provide a reasonable opportunity for members of the public to be heard at Council meetings."

We believe that for scheduled public hearings on specific topics, each speaker should have a five-minute period to make a presentation. We think five minutes is also reasonable for presentations on agenda items scheduled for action. At the end of the meeting, when citizens have an opportunity to comment on actions taken during the meeting, or to bring a new item of business to the Council's attention, we believe a three-minute limit is reasonable.

If a citizen raises a complicated new issue at the end of a Council meeting, and at least six Councilmembers are interested in hearing a full presentation, the time limit may be extended. Under normal circumstances, however, the speaker is invited to meet with the Mayor after the meeting to present information and ask questions. For those speakers who only comment on old issues, three minutes is more than reasonable.

To answer your question regarding control of applause during Council meetings, we encourage our audience to participate in our ceremonies that recognize people who have achieved a milestone or made a significant contribution to our City. Applause during the Special Ceremonies portion of the Council agenda is usually appropriate, and Councilmembers enthusiastically join in.

Applause for those who speak on business matters, however, is not appropriate, and will be controlled by the Council President as a matter of order and decorum. In a free society, everyone is entitled to an opinion and to openly express it without fear. But when people clap to show support for a particular opinion, they may intimidate

those individuals having different opinions.

Since our governmental system strives to protect the rights of individuals, we must use our Rules to ensure that City issues can be debated freely, without undue influence exerted by demonstrations of support for a particular point of view. The reverse is also true. If the Council audience were to boo loudly every time you stepped to the podium, the Council President would use the Rules to call for order so that you might speak. In this way, the Rules serve to provide equal treatment and ensure respect for all persons and their opinions.

I trust that this letter satisfactorily answers your questions.

Sincerely,
JAMES A. CRAWFORD, President

By Councilmember Belen

To excuse Councilmembers Canady and Ford from tonight's meeting

Carried unanimously

MAYOR'S COMMENTS

Mayor McKane announced the opening of the Washington Park Ice Rink. The rink will be open until spring. He reminded everyone that the Ad Hoc Committee on Early Retirement was formed by himself and Council. There is a great deal of paperwork that has to be done before a position can be filled. They are never filled unless they are critical positions. The original presentation of the Early Retirement option was by the Budget Director to Council during the budget process. They estimated that 125 people would take advantage of the early retirement and approximately 60 of those positions would need to be refilled. The Ad Hoc Committee on Early Retirement recommended that the City hire a consulting firm to assist with the reorganization and downsizing of City government. They are now waiting for responses from the firms they contacted. The net savings were estimated by the Finance Director to be \$2,000,000 per year. This is much greater than any additional cost because of pensions.

COUNCILMEMBER'S COMMENTS

Councilmember Beal said that she has been receiving phone calls regarding appointments that will be made to fill the position of Councilmember and City Clerk. She requested that these issues regarding the Early Retirement program be placed on the agenda for the Committee of the Whole on Thursday. President Crawford announced that the matter of policy development for filling positions within the city, the number of positions that will be vacated, the amount that will be paid in pensions, and the prioritization of positions that will be filled was referred to the Committee of the Whole for inclusion on Thursday's agenda.

Councilmember Schmidt said she saw a children's musical at the Riverwalk Theatre that she highly recommends for everyone to see. THE FROG PRINCE will be showing again December 4-6, and December 11-13, 1992. Tickets are \$4.00 and anyone interested in seeing it should call ahead for advance tickets because it will probably sell out.

Councilmember Belen appealed to the public on behalf of the Greater Lansing Food Bank. There are more calls and people

needing the help of the Food Bank this year than ever before. Please give them your support.

Councilmember Brockwell said he hoped that everyone had a great Thanksgiving. He said a special hello to a regular viewer of City Council Proceedings, Mrs. Ellis.

CITIZENS COMMENTS

Ken Vaughan of 114 Garden St. protested what he called "the underhanded, sneaky way that the Mayor and the City Clerk got out of their contract with the people of the City of Lansing." He is prepared to bring suit against them for breach of contract unless they withdraw their retirement. Part time service should not be counted towards retirement. Council has the power to rescind this agreement for early retirement and re-write the offer to exclude elected officials. The Mayor has only served 10 years of full time work and the City Clerk only 3, he said.

William Bernstein of 420 Baker St. said the audience wants a time clock that everyone can see because they do not trust Council. He demanded an answer to his questions regarding time allotments for public speaking and applause by the audience.

William Hubbell of 1003 W. Cavanaugh said that his landlord got notice of the recycling ordinance for multiple family dwellings and responded by notifying the tenants. He asked what the status of the recycling ordinance is.

Douglas Fairbanks of 117 May St., speaking in regards to the Early Retirement Program, said "if you can get it, take it". It is a tough decision to make. He suggested that after 22 years of dedicated service to the City of Lansing, Mayor McKane should be honored by dedication of a plaque.

Gerald Graves of 1623 S. Genesee Drive said that the Charter prohibits a person who is in default to the City from holding City Office. He visited the City Assessor's Office and requested a print out on an elected official who owns property at the corner of S. Cedar and Kalamazoo who is delinquent in his taxes. The City Clerk, Jim Blair, does not deserve an increased retirement deal because he is in default to the City for property taxes. He recommended that Council not adjourn this meeting. They should recess in order to look at this issue. Councilmember Schmidt asked City Attorney Knot for an evaluation of the remarks made by the former Mayor. City Attorney Knot requested that he be given the material that Mayor Graves has, for perusal. Council President Crawford announced that under the advice of the City Attorney, this material will be referred to the City Attorney for recommendations.

Marjorie Gillcrest-Hesse, no address given, said that the people of the City have been defrauded. Some people who are retiring will receive two-thirds of their annual income. Other retirement programs pay less than half. Most of the jobs of retirees will have to be filled in order for the city to continue to operate. She believes that this has all been a conspiracy and that citizens should demand an investigation of the retirement plan. Find out who dreamed this plan up and who pushed it through. They should also demand an audit of the City's funds to see exactly where the retirement plan has put them.

Lloyd Teets of 116 E. Elm St. said that there is another way to get rid of elected city officials other than through term limitations. Pass a

nice fat retirement program and they will all be out the door. This all came about because the City did not have enough money, and proposed an early retirement program. The Finance Director and the City Attorney drew this up and got it "rubber stamped" by Council with practically no discussion whatsoever. Councilmember Beal was the only person who thought they did not have enough information to make this decision. Council passed this deal, and only Council has the power to rescind it.

Mark Hawkins of 5523 Joshua asked how much golf fees will increase. Councilmember Brockwell answered that they will go up \$1.50 for nine holes. Mr. Hawkins requested that the City adopt a student subsidy program so that students can afford to play. He said it will wind up costing the City more for retirements than it would have to maintain the status quo.

Tom Shields of 1118 Riley announced that on Friday, December 4, 1992 the OLD NEWSBOYS will be selling their annual spoof of the State Journal. This year's issue will cover the City's Pension Fund. They need to raise \$110,000 this year. Last year they spent more than they earned. The proceeds go for shoes and boots for needy children. There are no padded salaries on the staff of this newspaper, he said, 99 & 44/100 of the money they take in goes to buy footwear.

Gary Andrews of 560 Brookland Blvd. said that the Early Retirement issue shows that the Mayor and City Clerk have no consideration for the tax payers at all. The Mayor has said that he has a clear conscience about taking the retirement deal. The City, he said, is falling apart and no one gives a damn about anything.

Harold Leeman of 529 N. Francis asked that the City extend the leaf and yard waste pickup program. The fountain in the lobby needs to be decorated, maybe Councilmember Schmidt could help with this. City Clerk Blair did not take the city car that is issued to him to New Orleans. He got the loan of another car from the garage because it has cruise control. The State Journal and the news stations should look him up while he is down there. He commented on what he called damage control by Charlie Creamer last Wednesday night following the Mayor's announcement. He suggested that the Mayor and the City Clerk take a lie detector test.

Clyde Smith of 2244 Tecumseh River Drive spoke regarding the Mayor's retirement. If it is legal, and if he qualifies for it, then he deserves it.

Ron Kruger of 1841 Beal Ave. spoke of his amusement over the Early Retirement program. He works at the Operations & Maintenance Garage. They have had nine people retire. Six of them were replaced. Two would have retired anyway. So the City will only save by one position. They are running the Department on their own now, and they know how to do it, but, Council does not think they deserve a raise for it. One of these days, it is going to snow.

ADJOURNED 8:35
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

400

Proceedings, December 7, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
December 7, 1992

PUBLIC COMMENT

The City Council of the City of Lansing met in regular session at 7:00 and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Ford

To approve the Printed Council Proceedings of November 9, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

Carried unanimously

1/ From Councilmember Beal a packet of information from Mike Farrell on the search and detention of a citizen by the State Police Department

2/ From Councilmember Schmidt a resolution memorializing and paying tribute to Veterans of WWII and Pearl Harbor Day

3/ From Councilmember Brockwell a request to read item VIII H. from Dorothy Jones into the record

4/ From Councilmember Canady a Committee Report from the Ad Hoc Committee on Early Retirement approving the administrations decision to fill vacant positions of Code Compliance Officers

SCHEDULED PUBLIC HEARINGS

A. SLU-15-92, 2613 Hillcrest St. in consideration of special land use request by Joan DeRose of Colonial Townhouses

Lloyd Teets of 116 East Elm Street said he wants the public to be aware just exactly what this property was. It was a single family home. The owner had his picture in the paper a couple of years ago when the foundation to his home began sinking. This man lost his house to demolition after making house payments for 30 years. He hopes that the cars parked in the parking lot of Colonial Townhouses don't start sinking.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

Gerald Graves of 1623 S. Genesee Drive asked that the issue of the legality of holding office and retiring from office by elected city officials who are in default of their taxes be referred to the State Attorney General's Office for a legal opinion also. He asked if the elected official in question would be required to pay the penalty fine of \$500.00 provided for in the charter. He asked if the City's program is legal without a report by an Actuary. Please put all of these questions to the Attorney General. He asked for the actual amount of money these retirees are to get.

Dan Bodman of 2101 Montego Drive spoke to the legality of the retirement plan. He is a former member and Chairman of the City's Employees Retirement System. He is concerned about the terms of this offer as it relates to elected officials. What is the rationale for offering this to all, rather than select, employees. He asked that the Actuary's report be made public. Will the benefit payments be affected by Social Security payments when they kick in? With 144 retirees it could cost the retirement system \$4,000,000. There is a lack of information available to the public. He urged Council to rescind the resolution offering the early retirement incentive.

Blagoy Pogoncheff 1509 E. Grand River Avenue said the early retirement program is ridiculous. The plan was supposed to reduce the work force and save money, but, you cannot reduce the work force by offering retirement to the Mayor, City Clerk and Department Heads. These people will have to be replaced. Why weren't people informed about this when it was proposed, and why didn't Council know anything about it? The program was created to line the pockets of department heads and elected officials.

Sheila Rouse of 1137 S. Holmes protested elected officials being allowed to take part in the early retirement incentive, and asked what Mayor McKane was teaching his children and her children with his actions. She called this an insult and slap in the face to the people of the city who have fallen on hard times.

Howard Jones of 426 W. Barnes Avenue said that Mr. Duarte, Mrs. Lazar, and Mayor McKane put together this package and Council voted on it. He estimated the total amount to be paid over the next 20 years at \$12,000,000. This plan treats top level administrators and elected officials like royalty.

Ken Vaughan of 114 Garden St. asked Council to do the right thing. He asked President Crawford to take over the Mayor's job and fight this thing because it is not right. He threatened that, if Council does not do something about this they will not be seeing them here next year.

Wayne Cross of 1218 Parkwood asked where the Michigan State Lottery money goes? It was supposed to go to schools. Where is it going?

Lloyd Teets of 116 East Elm St. said that the bottom line of the resolution on tonight's agenda is spin doctoring, political posturing,

and snake oil. It is designed to make Council look good in the eyes of the public. The Attorney General's opinion has no bearing on this at all. Citizens should demand that the legislative body that put this plan into effect take it out of effect and let the retirees like Mayor McKane and Clerk Blair take the Council to Court. He said that both the Mayor and the City Clerk would earn more in retirement for doing nothing than they did in all of their years of service to the city.

Lee Shunk, Jr. 601 Leslie St. said, if the retirement system had been proposed for only certain employees, it would have worked. Elected officials take an oath to serve the public, if they retire and someone else is appointed, the citizens are not being represented by the people they chose to hold office. The City should hold a special election.

Max Kirshun of 420 W. Ottawa said that serving as a Councilmember is a part-time job. All Councilmembers have other full time jobs. Mayor McKane was a full time teacher and part-time Councilmember at the same time.

Sandra Schafley of 918 McKim said she has been asking for years for City Hall to trim the fat from its' operation. Not the workers, the fat. They have given the early retirement buy out to 144 city employees and are already hiring new people with no reorganization plan. They are following the recommendations of the Ad Hoc Committee on Early Retirement. How does the public know that their recommendations are accurate without a reorganization plan? The City has to get this plan in place. They are almost past the point of no return, they cannot delay any longer.

Jay Sweet from Grand Ledge said he retired from the City in 1980 and has been paying his own medicare premiums since then. He has been told that there was paperwork to the effect that the City would pay his medical premium once he reached age 65. He was not informed of this at the time and has paid 11 years of medicare insurance that he would like to be reimbursed for. He asked Council President Crawford for help with this. The Mayor and City Finance Director have attempted to help him, but their answer was that the City was not responsible for notifying him that he must sign paperwork requesting this change. Council President Crawford referred this matter to the Mayor's Office and requested a report from them.

Dell Maynard of 2017 Culver said that Council operated in a good faith attempt to save the tax payer's money. The Mayor knew exactly what he was doing to the people of the city. Council should pass a companion resolution excluding elected officials from participating in the plan. He has been told by lawyers that it is illegal for them to participate in this plan anyway. He called on the Mayor and the Clerk to repeal their early retirement.

Beth Montieth of 1445 Vine St. said that Lansing is a city of working people, who are elated if they earn \$50,000 per year. This is not Palm Springs. She has asked for the figures regarding the early retirement incentive, but what she got, was the memorandum of understanding. She protested the tie bar provisions that offer the same incentive to exempt employees as Teamsters. She was told that Labor Relations Director Richard Putney was fired because he opposed the offer being extended to exempt and elected employees. People voted in good faith, please act in good faith.

Harold Leeman of 529 N. Francis asked about the late item from Councilmember Canady. He said Council should hold up on the

resolution for 911 and Fire Dispatch equipment until a new Mayor is in office. This \$83,000 program should not take three years to implement. If people are going to retire, get them out of here. Do not let them come back under a contract. Tell the Mayor and Clerk that they are not getting the early retirement incentive and let them take Council to Court. The new Mayor should put the Committee Report regarding the Automobile Fleet on his desk and get right to work on policy development for reporting mileage.

Leon Hilton of 631 Edison, President of UAW Local 2256 said that the Actuary's Report was done on February 20, 1992. In his opinion formulas in the report show that the City will end up paying an extra \$1,000,000 per year instead of saving \$2,000,000.

Theresa Kruger, 1841 Beal, a City Employee said contract negotiations for employees are stopped. She does not want remaining employees to have to accept third class benefits, like poor health care plans, to finance the pension fund.

SPECIAL CEREMONIES

A. Mr. Boyd introduced Eleanor Love of the Planning and Municipal Development Department who presented Certificates of Recognition to members of the Citizens District Commission for the 7 Block Area Development Plan. This Committee has met over 45 times in the past two years. They are very committed to the betterment of the City of Lansing. President Crawford thanked the members of the 7 Block Area Commission and said this is one of the most outstanding reports they have ever received. It will lead to the revitalization of the City.

B. Councilmember Schmidt presented a resolution of tribute to members of the Lansing Council of Veterans. The resolution is in memory of D-Day, December 7, 1941 and the Veterans who served in WWII and every war since then.

By Motion of Councilmember Canady Council recessed for 5 minutes at 8:20 and reconvened at 8:32

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Letter from Raymond N. Smith of 905 Bates St. requesting that City Council meetings be televised on Channel 6

REFERRED TO COUNCIL STAFF

B. Claim of Mohammad A. Qureshi of 1122 Hillgate Way

REFERRED TO THE CITY ATTORNEY

C. Letter from Ken Vaughan of 714 N. Pine submitting two versions of a resolution to amend, rescind, or repeal the Early Reduction in Force Resolution, Resolution #201 adopted April 13, 1992

REFERRED TO THE COMMITTEE OF THE WHOLE

D. Ingham County Certification of Tax Rate Levy FY 1992

REFERRED TO THE MAYOR

E. Notice from Public Service Commission of a hearing for the Customers of Consumers Power Company Case #U-9556-R on December 15, 1992 at 9:00 A.M. at the Michigan Public Service

Commission, Suite 7, 6545 Mercantile Way

RECEIVED AND PLACED ON FILE

F. Letter from Conrail, Consolidated Rail Corporation 2001 Market Street, Philadelphia, PA containing a license agreement for an easement for the City of Lansing for construction on a Sanitary Sewer Pipe

REFERRED TO THE MAYOR

G. Letter from the Groundwater Management Board (GMB) submitting Year I Aquifer Report dated November 16, 1992

RECEIVED AND PLACED ON FILE

H. 426 W. Barnes Ave.
Lansing, MI 48910
December 1, 1992

Mr. James Blair, City Clerk
City of Lansing, Michigan
City Hall

Dear Mr. Blair:

As a citizen of Lansing and a member of Citizens for a Better Lansing, I request an explanation of the procedure you expect to use in order to follow the statute which requires that you "examine the voter registration records" in December to determine "if an elector has not voted, continued, or reinstated his or her registration, or has not recorded a change of address...within the 5 years preceding the examination..." The statute further requires that "the clerk shall (emphasis mine) cancel...the registration of a person...who has not had voter activity within a 5-year period."

I was dismayed last August when I saw a list of registered voters that included names of people who had not voted since 1976-15 years ago. That same list included names of people that our observer group knew to be dead, and at least one who had moved from the city 8 years ago. That listed dated November 1991 contained over 112,000 names. The census says that Lansing has only 92,000 adults so the list was clearly inflated. Clearly the statute requiring the purging of registered voter lists had not been followed for several years.

This haphazard sort of record keeping in the clerk's office just leaves our city wide open for election fraud. I am not suggesting that I believe that election fraud has occurred, but I want the voter registration lists cleaned up so that there is no possibility for any kind of voting irregularities.

We have just had an election with a very high voter participation. This means that the number of non-voters whose registration status must be checked is relatively low. Therefore the required purging can be done with the least expenditure of time and money.

I look forward to hearing at the meetings of the City Council on December 6 and 13 about the progress your office is making in meeting the provisions of the statutes.

Sincerely yours,
Dorothy D. Jones

Enc: copy of pertinent statute

REFERRED TO THE CITY CLERK AND
THE ELECTIONS COMMISSION

I. Audit Management Letter from KPMG Peat Marwick for the

Greater Lansing Convention/Exhibition Authority for year ended June 30, 1992

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Mr. Boyd reviewed Mayor McKane's letters #3, & #4, resignations from the Public Service Board, #6 Outstate Equity Grant Fund recommendations from the Mayor for funding of projects, #8 appointment of Doris Schoening, Employee Relations Administrator as Chief Negotiator for all labor contract negotiations to begin in December 1992 and January 1993.

CITY OFFICER AND BOARD REPORTS

A. Letters from the City Clerk regarding:

1. Submitting routine applications for action on licenses and bonds:

a. RESOLUTION #630

December 7, 1992

President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Barbara G. Brown

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

2. Submitting draft copy of the Schedule for City Council Meetings for the first six months of 1993

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Notifying Councilmembers of expiration of "Sunset" ordinances in 1993

REFERRED TO THE CITY ATTORNEY

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 30, 1992 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Planning Board regarding:

1. Final recommendations of the Planning Board for the 7 Block Area Development Plan

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Planning Board recommendations regarding an amendment to

the Willow Pine Area Master Plan

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Letter from the Board of Water & Light regarding the sale of surplus Board of Water & Light Property to the Charter Township of Lansing

REFERRED TO THE MAYOR

E. RESOLUTION #631

December 3, 1992

Mr. James Blair, City Clerk
9th Floor, City Hall
Lansing, MI 48933

RE: Jackie Lewis v City of Lansing
Worker's Compensation Claim

Dear Mr. Blair:

Please place on the Lansing City Council agenda for the regular meeting on Monday, December 7, 1992 ratification of the Jackie Lewis claim.

A recommendation was made that this claim be redeemed for the amount of \$7,500.00. There was concurrence by the Personnel Department, Corporate Services, Inc., and the City Attorney with that recommendation. The recommendation was reviewed and approved by the Mayor and the Ways and Means Committee.

If additional information is needed, please contact me immediately.

Sincerely,
Billie J. O'Berry, Assistant City Attorney

By Councilmember Benavides

To accept the recommendation of the City Attorney's Office

Carried unanimously

F. Letters from the Mayor re:

1 / ACT-39-92, 2500 E. Mt. Hope/Fenner Arboretum Park

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2/ Letter from Robert E. Bee, Director, Division of Child Welfare Licensing Re: 2132 Glencoe

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3/ Resignation of James A. Tate from Public Service Board
RECEIVED AND PLACED ON FILE

4/ Resignation of Robert J. Walker from Public Service Board
RECEIVED AND PLACED ON FILE

5/ Resolution Authorizing Sale of Bonds to Fund Phase I,
Segment 2 of the Combined Sewer Overflow (CSO) Program

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND
THE COMMITTEE ON WAYS AND MEANS

6/ Recommendation Regarding Disbursement of Equity Funds

REFERRED TO THE COMMITTEE OF THE WHOLE

7/ Special Assessment Rolls, Actual Cost

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND
THE COMMITTEE ON WAYS AND MEANS

8/ Appointment of Chief Negotiator for Labor Contracts
Scheduled to Commence in December, January

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

COMMITTEE REPORTS

RESOLUTION #632

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the recommendation to purchase a new fire dispatch console,

REPORTS AS FOLLOWS: The Mayor has made this recommendation recognizing that the transition period for consolidation of the 9-1-1 and Fire Dispatch Centers will take from three to five years. In the interim, this recommendation is made in order to acquire the equipment necessary to provide an "enhanced and more stable level of service". By making this purchase now, the City can avoid anticipated future price increases, and also have the benefit of current staff for installation. The cost of the console is \$83,857.44, to be paid out of the existing infrastructure appropriation.

As this item was not identified for acquisition in the F.Y. 92-93 Recommended Budget, standing policy requires Council approval prior to purchase. The Committee recommends approval of this request by the City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

RESOLUTION #633

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the questions submitted by Mr. Harold Leeman regarding the Automobile Fleet and the purchase of a 1992 Thunderbird,

REPORTS AS FOLLOWS: The Committee has reviewed these concerns with the Administrative Services Director and has determined that, overall, the cost of providing used police cars to employees is less than the cost of paying mileage to employees utilizing their personal vehicles. The Committee is, however, concerned about the following matters, and requests that the Mayor review the following concerns as part of the F.Y. 93-94 budget development process.

1. Currently there is no system to justify the mileage on City vehicles. The Committee requests that a reporting system be considered.

2. The Committee questions the necessity and propriety of City vehicles being driven outside the City, a practice that potentially adds significant costs to City operations.

3. Better identification on City vehicles so that any abusers can be more easily identified.

The Committee takes the concern regarding the abuse of City vehicles seriously, and encourages residents and other concerned individuals to report suspected abuse to either the City Council or Mayor's Office.

Finally, the Committee has determined that the questions regarding the purchase of the Thunderbird would be most appropriately responded to by the Mayor, and hereby requests that he do so.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

Item XI A-3, Committee Report by the Committee on Ways and Means recommending approval of an amendment to Part 2, Chapter 292 of the Code of Ordinances regarding pre-funding of post-retirement health care was tabled by motion of Councilmember Brockwell and unanimous vote of Councilmembers

RESOLUTION #634

BY THE AD HOC COMMITTEE ON EARLY RETIREMENT

REPORTS AS FOLLOWS: The Committee discussed the Administration's concern relative to the positions that are vacant within the Planning and Municipal Development Department as a result of certain employees accepting the early retirement option. It was determined that these positions should be filled as early as possible due to the critical need.

The Committee recommends, based on the information received, that the Administration be authorized to fill the positions for the Building Inspector 31; two Chief Code Compliance Officer 32's; and a Chief Code Compliance Officer 37. For information only, no action required.

Signed: Mark H. Canady
Tony Benavides
James Crawford
Steve Duarte
Terry McKane

BY COUNCILMEMBER MARK H. CANADY:

To amend the resolution by amending the second sentence in the first paragraph to read: "The Committee concurs with the Administration's decision that these positions should be filled as early as possible due to the critical need." and that the Committee Report be accepted as amended

Adopted by the following vote:

YEAS: 7

NAYS: 1

RESOLUTIONS

RESOLUTION #635

By the Councilmember Mark Canady

WHEREAS, the Charter Township of Lansing has requested sanitary sewer service be provided to the following address:

The property described as Lot 60 except the West 80 feet, Dyer Farms Subdivision. This property is addressed as 733 Dyer Farms Road.

WHEREAS, it appears to the Township and the City that an extension of such service will be of mutual benefit to both parties.

BE IT RESOLVED that the extension of sewer service to the addresses as indicated here in is hereby approved subject to the following conditions:

1. The Township, shall submit the following data:

A. The legal description of the area to be served;

B. Anticipated maximum sewage flow;

C. The name(s) of the owner(s) of record of all parcels of land located within said area and the name of the developer of said land, if the identity of the developer is known and is not an owner;

2. Prior to the award of any construction contracts or the issuance of required permits, the Township shall submit to the City a "Utility Equity Investment Fee". Said fees are \$4,096.05 per acre and shall be revised on July 1 of each year. Said Utility Equity Investment Fee shall be computed on the basis of the formula and method as determined by the Finance and Public Service Departments.

3. The City of Lansing will not participate in any costs for the extension of sanitary sewers or appurtenances, right of ways required, or legal, engineering and inspection fees.

4. The City shall not be responsible for any costs of construction or maintenance of the individual house leads from the user's building to, and including the connection with the sewer main located in the street or within a sewer easement.

5. In the case of borderline streets, where the City has previously constructed a sanitary sewer, connections will be allowed, subject to the payment of the utility equity investment fee and payment of the assessment cost as previously paid by residents of the City, and subject to all other provisions of this agreement.

6. A permit from the Department of Public Service from the City of Lansing shall be obtained prior to any sanitary sewer construction work. Detailed plans and specifications prepared by a registered Engineer shall be submitted to the Lansing City Engineer for review and approval prior to issuing the sanitary sewer construction permit.

7. If at all practical all sewer lines shall be placed in street Right of Way. If easements across private property are required, the Township shall acquire same at Township expense and in the name of the Township. Said easements shall be assigned to the City of Lansing, for the purpose of constructing and maintaining sanitary sewer system. All easements shall be properly recorded.

8. Upon completion of construction of sewers built, and prior to placing said system in use, satisfactory evidence shall be submitted to the City Engineer that the plans and specifications have been fully complied with and that the sewers may be placed in service. Upon submitting such evidence as may be required by the City Engineer, he/she shall, within thirty (30) days thereof, issue a letter of acceptance to the Township, and the City will then accept the system for maintenance and the sewage for treatment.

9. Permits for all connections to the main sewer will be required to assure that adequate records are maintained. Permits shall be issued by the Department of Public Service of the City of Lansing, prior to Lansing Charter Township issuing a building permit.

10. The Department of Public Service of Lansing shall maintain all records pertaining to the extension of services. The Department of Public Service of Lansing shall also provide all necessary forms or permits.

By Councilmember Canady

Carried unanimously

RESOLUTION #636

BY: PHYSICAL DEVELOPMENT COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan has adopted a state statute approving a sale with certain restrictions to the City of Lansing property known as Fairview Park; and

WHEREAS, the original owner of the land desired to see it forever protected as a natural and recreation area and it was donated by him to the state with that condition; and it was the intent of the Legislature to sell the Park to the City so that (1) the City would take responsibility regarding its care and maintenance and (2) the City would continue to preserve and protect it as a natural and recreation area; and

WHEREAS, upon review of the state legislation and the restrictions contained therein, the Mayor, Park Board, and Park Director have recommended the City purchase Fairview Park; and Lansing Township also has recommended City purchase;

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to acquire for one dollar by quit claim deed the property known as Fairview Park, and legally described as:

All of that part of West 30 acres of SW $\frac{1}{4}$ of Section 11, Township 4 North, Range 2 West, Township of Lansing, lying North of Franklin Avenue (now Grand River Avenue) except that portion conveyed by Act No. 166 of the Public Acts of 1972, described as: Commencing at a point at the intersection of East right of way line of Wood Street and North right of way line of Grand River Avenue, thence East along North line of Grand River Avenue 443.15 feet to a point 19 feet West of West right of way of Fairview Street, thence North parallel with Fairview Street 300 feet, thence East 19 feet to Fairview Street, North along Fairview Street 272.14 feet, thence West 462 feet more or less to East right of way of Wood Street, thence South along Wood Street 583.97 feet to beginning, containing 11.82 acres.

BE IT FURTHER RESOLVED that the City Council declares the entire Park to be dedicated park land; and that the above-described property shall be held by the City and shall only be used as a public park and recreation ground; and

BE IT FURTHER RESOLVED that (1) the land is dedicated as park land; and, (2) it cannot be sold without the prior permission of any and all appropriate State agencies and officials; and conditions (1) and (2) shall be contained in the quit claim deed; and

BE IT FURTHER RESOLVED that if permission to sell is given by

both (1) a vote of the people and by (2) the State, any proceeds from the sale shall be deposited in the state treasury and credited to the state general fund; and

BE IT FINALLY RESOLVED that a part of the land may be used as a temporary floodwater safety retention basin so long as it does not interfere with the Park's use as a natural and recreation area; and so long as it is designed in an environmentally-sensitive manner; and permission for such use shall be given by separate Council resolution.

By Councilmember Canady

To consider the resolution as read and call the roll

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Ford, Schmidt

NAYS: Councilmember Canady

RESOLUTION #637

BY: PHYSICAL DEVELOPMENT COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Drain Commissioner has indicated to the City of Lansing that he desires that a portion of the property known as Fairview Park be utilized as a storm water retention basin;

WHEREAS, the Mayor, Public Service Director and Parks Director recommend the approval of the concept that a portion of Fairview Park be used as a storm water retention basin, provided the storm water retention basin is built in a way which protects the environment and keeps the entire park as a natural area;

NOW, THEREFORE, BE IT RESOLVED that the concept of the utilization of a portion of the property known as Fairview Park as a storm water retention basin by the Ingham County Drain Commissioner is approved, provided the storm water retention basin is built in a way which protects the environment and keeps the entire park as a natural area;

BE IT FURTHER RESOLVED that the Mayor is requested to enter into negotiations with the Ingham County Drain Commissioner and Lansing Township regarding the utilization of the portion of the property known as Fairview Park as a storm water retention basin; and,

BE IT FINALLY RESOLVED that final approval of any agreement with the Ingham County Drain Commissioner and Lansing Township regarding the utilization of a portion of Fairview Park as a storm water retention basin be approved by Council after review by the appropriate City boards.

By Councilmember Canady

To consider the resolution as read and call the roll

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Ford, Schmidt

NAYS: Councilmember Canady

RESOLUTION #638

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-038, which authorizes changing the existing yield signs on Gray Street at the intersection of Dakin Street to stop signs.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #639

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-039T, which authorizes the temporary installation of multi-way stop signs at the intersection of Maryland Avenue and May Street.

Be It Finally Resolved, the Lansing City Council hereby requests that the Transportation Division conduct traffic studies 90 days after the installation of the multi-way stop signs to determine if the multi-way stop signs have been effective in controlling vehicle speeds on Maryland Avenue and to develop a recommendation regarding permanent installation of the multi-way stop signs for review by the City Council.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #640

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-040, which authorizes changing parking regulations on Washington Avenue from North Street to Dwight Street to prohibit parking on the east side.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #641

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-041, which authorizes changing parking regulations on Wayburn Road from Strathmore Road to Kensington Road to prohibit parking between 7:00 AM and 10:00 AM, except Saturdays, Sundays, and Holidays.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #642

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-042, which authorizes changing parking regulations on Markley Place from Wayburn

Road to Rockford Road to prohibit parking between 7:00 AM and 10:00 AM, except Saturdays, Sundays, and Holidays.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #643

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Numbers 92-043 and 92-044, which change parking regulations in the vicinity of the Emanuel Lutheran Church to provide better access to the facilities.

Be It Finally Resolved, Traffic Control Order Numbers 92-043 and 92-044 shall be placed in effect after the completion of the Emanuel Lutheran Church expansion project.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #644

BY COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has historically received funding for Emergency Services through the Federal Emergency Management Agency (FEMA); and

WHEREAS, the State Police, who serve as the state pass-through agent for such funds, have determined that a formal grant agreement is necessary for receipt of these funds; and

WHEREAS, the City expects to receive up to 12.5% of the Fire Chief's salary and fringe benefits for emergency preparedness activities, as indicated in the grant agreement; and

WHEREAS, the Mayor has recommended acceptance of this grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approve acceptance of the Federal Emergency Management Assistance Grant.

By Councilmember Benavides

Carried unanimously

RESOLUTION #645

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

\$2,000 from Est. Rev.	A/C 101-000000-170001-00000
\$2,000 to LPD Bgt. Ctrl.	A/C 101-343201-992200-00000
(Donation to Lansing Police Department for D.A.R.E Program activities received November 9, 1992 (101-343201-741879-0).	

\$50,000 from Gen. Fd-Fd. Bal.	A/C 101-000000-390001-00000
\$50,000 to Hum. Serv. Agen.-Bgt. Ctrl	A/C 101-833710-992200-00000

(Portion of "Rainy Day Fund" obligation against fund balance. After this transfer, the obligation against Fund Balance available for "Rainy Day Fund" needs will be \$100,000. To memo account 101-833710-960120-0.)

\$15,846.46 from Gen. Fd.-Fd. Bal.

A/C 101-000000-390001-00000

\$15,846.46 to Hum. Serv. Agen.-Bgt. Ctrl.

A/C 101-833710-992200-00000

(Unspent funds from FY 92 contracts, to be reprogrammed for further agency needs: \$9,673.75 for Community Service & Referral Agency (101-833710-960098); \$6,096.04 for CASAC (101-833710-960061); \$76.67 for Capital Area Community Services (101-833710-960120).

\$1,213 from Forf.-Est. Rev. A/C 265-000000-170001-00000

\$1,213 to Forf. Fd.-Bgt. Ctrl. A/C 265-343253-992200-00000

(Purchase of new body bunker ballistic shield. Old shield to be reconditioned for use by Tri-County Metro. 265-343254-977000-00000)

Submitted by: Janet Lazar, Director of Budget and Management

I hereby certify that funds are available.

Stephen W. Duarte, Director of Finance/City Controller

By Councilmember Benavides

Carried unanimously

RESOLUTION #646

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, questions have been raised regarding Council approval of the 1992 Early Retirement Incentive for white collar employees, as well as the legality and propriety of participation in this incentive by elected officials; and

WHEREAS, the City Attorney has advised that in his opinion the Early Retirement Incentive was approved in a legal manner, that it is legally valid, and that it is legal for elected officials to participate in the incentive; and

WHEREAS, with all due respect to our City Attorney, this Council could put to rest many concerns about the Early Retirement Incentive by seeking an opinion from the Michigan Attorney General;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby requests State Representative David Hollister to make a formal request to Attorney General Frank Kelley for opinions on (1) whether it is a violation of the Michigan Constitution, State election laws, or State retirement system laws for an elected City official to participate in an early retirement incentive, such as the incentive approved by the City Council; and (2) whether it is a violation of any State laws for a City ordinance to permit the full participation membership in the Employees' Retirement System by City Councilmembers, who by City Charter serve in part-time elective positions; and

BE IT FINALLY RESOLVED the Council requests the Attorney General to act on this opinion request as soon as possible.

By Councilmember Belen

To accept a friendly amendment to the resolution from Councilmember Beal to amend the first paragraph to state:

"WHEREAS, on April 13, 1992 City Council passed Resolution #201 establishing an Early Retirement Incentive, and questions have been raised regarding Council approval of the 1992 Early Retirement Incentive for white collar employees, as well as the legality and propriety of participation in this incentive by elected officials; and"

Carried unanimously

By Councilmember Beal

To accept the following amendment to the resolution for insertion prior to BE IT FINALLY RESOLVED:

"AND BE IT FURTHER RESOLVED THE CITY OF LANSING HEREBY SUSPENDS ENTIRELY THE EARLY RETIREMENT OF ELECTED CITY OFFICIALS UNTIL SUCH TIME THAT THE ATTORNEY GENERAL OR A COURT DECLARES THAT THE EARLY RETIREMENT OF ELECTED OFFICIALS IS VALID, UNDER THE TERMS OF THE RESOLUTION ESTABLISHING THE EARLY RETIREMENT PLAN AND OTHER CITY PERSONNEL POLICIES"

By Councilmember Beal

To call the question and end the debate on the amendment

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Schmidt

NAYS: Councilmember Ford

The motion to amend was defeated by the following vote:

YEAS: Councilmembers Beal, Schmidt

NAYS: Councilmembers Belen, Benavides, Brockwell, Canady, Crawford, Ford

By Councilmember Belen

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Crawford, Ford, Schmidt

NAYS: Councilmember Canady

By Councilmember Canady

To reconsider the vote on the amendment to the resolution

Adopted by the following vote:

YEAS: Councilmembers Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: Councilmembers Beal, Belen

By Councilmember Canady

To excuse Council President Crawford on the vote on the amendment of the resolution

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Ford, Schmidt

NAYS: Councilmember Beal

By Councilmember Canady

To accept the previously stated amendment

Defeated by the following vote:

YEAS: Councilmembers Beal, Schmidt

NAYS: Councilmembers Belen, Benavides, Brockwell, Canady, Ford

ABSTAIN: Council President Crawford

RESOLUTION #647

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, shortly before 8:00 AM local time on Sunday, December 7, 1941, the United States Naval Station at Pearl Harbor, Hawaii, was one of several targets of a deliberate sneak attack by carrier-borne assault planes from the Empire of Japan; and

WHEREAS, the attack on Pearl Harbor, launched while our government was engaged in peace-keeping negotiations with Japanese envoys, killed 2,403 Americans and wounded another 1,178; and

WHEREAS, President Franklin Roosevelt characterized December 7th as a "Day of Infamy" in his speech to the Congress asking for a declaration of war against Japan; and

WHEREAS, even after the passage of 51 years, Americans still remember Pearl Harbor Day as the cause of our country's entry into World War II, and as a warning similar to Thomas Jefferson's quote, "Eternal vigilance is the price of liberty;"

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 7th day of December, 1992, hereby pauses to remember those who gave their lives in defense of our country on December 7, 1941; and

BE IT FURTHER RESOLVED the Council also recognizes past, present and future members of our armed forces for their sacrifices in war and their dedication to eternal vigilance in peace.

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING PART 10, CHAPTER 1063, SECTION 1063.03 & 1063.06 ON-SITE COLLECTION OF RECYCLABLE MATERIALS—MULTI-FAMILY DWELLINGS

By Councilmembers Brockwell and Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 10, Chapter 1063, Sections 1063.03 and 1063.06 Providing for On-Site Collection of Recyclable Materials by Owners of Multi-family Dwellings Containing 5 units or more and Storing of the Materials

Was introduced by Councilmembers Brockwell and Benavides,

read a first and second time by its' title and referred to the Committees on Public Services and Ways and Means .

RESOLUTION #648

RESOLUTION SETTING PUBLIC HEARING

By Councilmembers Brockwell and Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 21, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part 10, Chapter 1063, Sections 1063.03 and 1063.06 Providing for On-Site Collection of Recyclable Materials by Owners of Multi-family Dwellings Containing 5 units or more and Storing of the Materials

Interested persons are invited to attend this public hearing

Carried unanimously

AMENDING PART 14, CHAPTER 1424, SECTION 1424.01 ADOPTION OF 1993 EDITION OF NATIONAL ELECTRICAL CODE

By Councilmember Brockwell

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 14, Chapter 1424, Section 1424.01, for the purpose of Adoption of the 1993 Edition of National Electrical Code except for those Provisions as have been Amended or Repealed

Was introduced by Councilmember Brockwell read a first and second time by its' title and referred to the Committee on Public Services

RESOLUTION #649

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Brockwell

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 21, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part 14, Chapter 1424, Section 1424.01, for the purpose of Adoption of the 1993 Edition of National Electrical Code except for those Provisions as have been Amended or Repealed

Interested persons are invited to attend this public hearing

Carried unanimously

AMENDING PART 2, CHAPTER 292 EMPLOYEES' RETIREMENT SYSTEM

By Councilmember Crawford

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 2, Chapter 292, Employees' Retirement System for the purpose of Reaffirming and Readopting a Retirees Suspension of his/her Pension if Reired by the City

Was introduced by Councilmember Crawford read a first and second time by its title and referred to the Committee of the Whole

RESOLUTION #650

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Crawford

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 21, 1992 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an ordinance to amend Part 2, Chapter 292, Employees' Retirement System for the purpose of Reaffirming and Readopting a Retirees Suspension of his/her Pension if Rehired by the City

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

Item XIV A Ordinance Amendment by the Committee on Ways and Means recommending approval of an amendment to Part 2, Chapter 292 of the Code of Ordinances regarding pre-funding of post-retirement health care was tabled by motion of Councilmember Brockwell and unanimous vote of Councilmembers

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a packet of information from Mike Farrell on the search and detention of a citizen by the State Police Department

REFERRED TO THE MAYOR, CITY ATTORNEY,
AND HUMAN RELATIONS BOARD

2/ From Councilmember Schmidt a resolution memorializing and paying tribute to Veterans of WWII and Pearl Harbor Day

HANDLED AS RESOLUTION #647, THE RULES WERE SUSPENDED, AND THIS RESOLUTION WAS PRESENTED TO MEMBERS OF THE LANSING COUNCIL OF VETERANS DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

3/ From Councilmember Brockwell a request to read item VIII H. from Dorothy Jones into the record

THE RULES WERE SUSPENDED AND THE LETTER FROM MRS. JONES WAS READ INTO THE RECORD

4/ From Councilmember Canady a Committee Report from the Ad Hoc Committee on Early Retirement approving the administrations decision to fill vacant positions of Code Compliance Officers

HANDLED AS RESOLUTION #634

EXECUTIVE ASSISTANT'S TO THE MAYOR COMMENTS

Mr. Boyd had no comment

COUNCILMEMBER'S COMMENTS

There were no Councilmember Comments

PUBLIC COMMENTS

William Bernstein of 420 Baker St. complained that Council still does not have a time clock in view of public speakers. He claimed

that he is a victim of religious persecution because he is a Jew.

Sandra Schafley of 918 McKim said there was a lot of discussion by Councilmembers regarding the Code Compliance Officers that are going to be replaced. She said we do not need a city full of Department Heads who sit in City Hall and hold down a desk. Department Heads should be out in the field seeing what goes on. Do not keep re-hiring people to put back into offices to sit at desks. Councilmember Brockwell assured her that Mr. Hernandez, the Chief Code Compliance Officer, is in the field most of the time, not desk sitting.

Dorothy Jones of 426 Barnes objected to Mr. Blair's statement that the voter registration lists have been purged. These files must be purged regularly and the canceled voter files should be destroyed, not retained. Once a purge has occurred these names should not exist on the system.

Lloyd Teets of 116 E. Elm St. accused the Board of Water & Light of using power outages and water pressure loss to force the city into a position of converting to a regional power system. He claimed that they disconnected the backup diesel power generator that they have. He said the Councilmember Beal tried to put teeth into the resolution extending the early retirement incentive. She should run for Mayor.

Doctor Earl T. Pauley, Jr. agreed with Councilmember Ford's statement that the city offered the early retirement incentive to avoid a lay-off. We have a City Attorney, he said, why should we have to go to the Attorney General for an opinion. Council should be concentrating on ways to give people jobs, not fire them. He said we need more traffic control signs on Logan Street to prevent children from being injured. He asked Councilmember Brockwell of the status of 808 N. Cedar St.

Lee Shunk Jr. on Leslie St. thanked Councilmember Beal for trying to correct the retirement issue and said he hopes she does not take any lumps for it.

Chris Campbell of 417 N. Jenison, President of the West Side Neighborhood Association asked about a house on the corner of Logan and Ionia St. The owner of this property has gotten out of the demolition process by filing a rezoning request, however, his petition was subsequently withdrawn. Please take a look at this.

Douglas Fairbanks of 107 May St. said Council should limit public speaking time down to 2½ minutes. He commended the City Attorney for doing such a hard job.

Thomas Shields of Riley said City government used to be oversized, now it is downsized, please stay just right sized and not get oversized again. Instead of hiring new people they should look towards using temporary help.

Hiram Davis of 4432 Copperhead in Okemos said that on September 8, 1992 he sent a letter to Council regarding an incident that happened to his son on his way back from school at the University of Michigan in Ann Arbor. He was traveling on a Greyhound Bus. When they pulled into the Bus Station his son was searched by three policemen. Only one other person on the bus was subjected to this search, he too, was an African American male. His son asked why he was being searched, but, the Officer that searched him refused to, answer any questions. He talked to a Sergeant George on his son's behalf trying to find the reason his

son was approached in this way. He was told that the incident was part of a program to eliminate drugs coming into the city. This program has since been suspended. The program targeted minority youth.

Mel Farmer of 3707 Ridgfield asked Councilmember if the Mayor's letter regarding 2132 Glencoe would be discussed at the Physical Development Committee meeting this week. Councilmember Canady responded that they already have a full agenda. They will take this up next week. Mr. Farmer reported that he has information for the Committee and the City Attorney regarding a change in their application.

Rick Gamber of 1213 W. Shiawassee spoke regarding a house in the demolition program at 1100 W. Ionia. The order for make-safe or demolish was withdrawn because of a rezoning that the owner applied for. Now he intends to apply for another rezoning. This will be the third request for rezoning that he has applied for since 1988. He said the WSNA had asked for a pedestrian overpass on Logan St. that was denied, now there are not even any sidewalks at the crossing on King/Logan St. There are eight lanes of traffic and no place for anyone to cross safely. Council should go out and look at this intersection at the stop light between Shiawassee and W. St. Joseph. Councilmember Ford recalled that this issue was brought before the Public Safety Committee. The City did not make a decision that the cross walk was unnecessary, the funding was just not there for it. Council President Crawford referred this issue to the Committee on Public Safety.

A resident of 902 Willow St. who did not sign in, a Viet Nam Veteran, said that in combat he learned that you just deal with the facts. The fact in this case, is that these people have not done much to help the average citizen. The hungry, homeless, and jobless do not get help from Councilmembers, they only help themselves. This is a hard city to live in, it will do nothing to help its' citizens and has a hostile mentality towards minorities. Council does not seem to want to do anything to help with this problem.

Mike Farrell an Attorney in Lansing, spoke regarding the detention and search of Mr. Hiram Davis' son. This is a concern that needs to be addressed by all of us. Willard Walker has communications that are material to all of this. He emphasized that the Police Officers in this matter were State Police Officers not City of Lansing Police Officers. He asked Council to urge Chief Boles to continue with the program. At the request of Councilmember Canady this matter was referred to the Human Relations Board.

Harold Leeman of 529 N. Francis noted the time at 10:35 P.M. and asked where the Mayor is? Regarding the Thunderbird, he deliberately did not mention the individual's name in his communications because he did not want to offend him. He suggested that the mileage on the Thunderbird may not have been accurate when they purchased it. It came from Ohio. The plates on the car are not government plates. There was no need to go out and buy this car. There will be plenty of retiring city employees whose car could have been assigned to this person. Mr. Boyd answered that Mayor McKane is conducting the Sexton High School Band tonight at the Wharton Center. Regarding the Thunderbird purchased for his use, he is charged for the use of this car. It is reported on his W2 form as a compensation and he must pay .05 per mile for each mile that he uses it. He would rather have had an Oldsmobile, he said, but a lot of effort went into the

purchasing ordinance. The City has created a anti-discrimination law that they can be proud of.

ADJOURNED 10:45
JAMES D. BLAIR, CITY CLERK

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

411

Proceedings, December 14, 1992

CITY COUNCIL ROOMS

Lansing, Michigan
December 14, 1992

The City Council of the City of Lansing met in regular session at 7:00 and was called to order by President Crawford

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell a request that the Michigan Parks Association be allowed to make a presentation to the City of Lansing Parks & Recreation Department during Special Ceremonies

2/ From Councilmember Belen a request that the American Legion be allowed to make a presentation to Councilmember Schmidt during Special Ceremonies

3/ From Councilmember Canady two substitute resolutions regarding Fairview Park

4/ From Councilmember Canady a Notice to the Citizens of Lansing about Vacancies in City Council and the City Clerk's Office

5/ From Councilmember Ford a Resolution of Tribute to Friendship Baptist Church

6/ From Councilmember Benavides a letter from Paul Hufnagel, President of Lansing Fire Fighters Local #421

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider an Amendment to Part Two, by Adding a New Chapter, Chapter 876 of the Code of Ordinances, City of Lansing for the purpose of Authorizing Charges for Lansing Fire Department Ambulance Services

Harold Leeman of 529 N. Francis asked for an update on the amount of revenue that is brought in by the billings to drunk drivers who are stopped by Lansing Police.

Dan Perrone of 415 N. Fairview, an employee of the Lansing Fire Department spoke in opposition to these charges saying that the Taxpayers of Lansing already pay for their training and equipment

and should not have to pay any further fees. This will impact mostly on the poor and people with fixed incomes.

Lloyd Teets of 116 E. Elm said Lansing has the finest Fire Department and the finest ambulance services in the State of Michigan. Council should consider the same type of legislation that they adopted for false alarms to LPD. After so many unnecessary calls to the Fire Department, then a fee could be charged, however, they should not charge a fee like this to people who really need an ambulance. The City should be providing these essential services to its citizens.

Kenneth Vaughan of 114 Garden St. said it is not fair for City Council to vote to charge fees like this when other expenditures that they have voted for are so excessive.

Tim Moede of 1425 Cooper, Paramedic for the City of Lansing Fire Department said they provide the best service possible. There are only three ambulances covering the City right now. The taxpayers already pay their salaries, training, and equipment it's not fair to hit them again. The processing of information needed to bill for these services will detract from their turn around time.

Ken Satler of 5922 Keyes, EMS Coordinator for the City, objected to these charges. They place the heaviest burden on those people who cannot afford health care insurance and places an additional burden on an already overburdened system. The fees that are collected will be put into the General Fund instead of into the Fire Department budget for improved services. The information required for billing is entirely different than what they get at the hospitals. This will delay services to people when seconds count. He asked Council to come up with an alternative plan, such as charging the fee to only non-residents who do not already support the Fire Department.

Paul Hufnagel, President of the Lansing Fire Fighters Union said this fee was initially proposed 2 years ago. It is designed to equalize payments to the users of Emergency Medical Services. They are already equal right now. This Ordinance did not originate in Council, it originated in Finance and Budget. They never asked for input from the Fire Department at all. This should go back and be rewritten. There will be a \$40,000 reimbursement paid to the City next year. The Fire Department is opposed to this fee, they should have been contacted when legislation affecting their operation was written.

Russell Terry of 121 E. Mt. Hope said that he will make \$10,000 this year. He cannot afford to pay his bills and feed himself without help from his mom. He cannot afford to pay even \$10.00 for an ambulance fee. If something happens to him, he will have to go ahead and die.

Douglas Fairbanks of 107 May St. said fees should only be charged to people who can afford to pay them.

Gary Andrews of 560 Brookland Blvd. said he has been involved

with Lansing paramedics many times and can understand their reluctance to do more paperwork. The fees that are collected for Ambulance Services should be put back into the Fire Department Budget though.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

PUBLIC COMMENT

William Hubbell of 1003 W. Cavanaugh protested the cancellation of the Council Meeting scheduled for December 21, 1992. There were three Public Hearings set for that date. One on the Retirement System Ordinance, one on the Recycling Ordinance, and one on the Electrical Code.

Beth Montieth of 1445 Vine Street said that the Budget, Chief Labor Negotiator and Early Retirement System are all connected. She asked where the reorganization plan for the City is? Council should know where we stand financially.

Melvin Farmer of 3707 Ridgefield on behalf of a number of his neighbors spoke in opposition to the development of a residential care facility on Glencoe.

Bob Truax of 3639 Aragon asked how the State of Michigan can get away with forcing the Peckham Vocational facility on them? Their property value is going down because of this facility.

Vern Letts of 730 Community said the City should keep City jobs within the City.

Howard Jones of 426 W. Barnes asked Council to oppose any attempt by Continental Cablevision to raise their rates. The City needs a competitor for Continental, he said, Council should authorize one and the rates would be more competitive.

Harold Leeman of 529 N. Francis reminded everyone that this will be the last Council meeting of the year. They had a lot of public hearings scheduled for December 21, 1992 but they canceled that meeting. What happens if the Attorney General releases his opinion of the Early Reduction in Force incentive? He would like Council to hold another meeting. Can the Mayor please provide him with an update on the Fairview Park issue. He asked about the charge made last week that Richard Putney left because he disagreed with the Early Retirement Program.

SPECIAL CEREMONIES

A. Mayor McKane introduced Mary Margaret Murphey-Woll of the Lansing Neighborhood Council. She introduced the Presidents of the neighborhood organizations that developed their recommendations on the Reorganization/Restructuring of City Government. They met every Saturday morning to develop their report, which was written by Paul Novak. She asked that Council read the report and look at the way the neighborhoods see the reorganization of City Government. Councilmember Schmidt thanked the group for their time and concern.

B. Councilmember Brockwell introduced R. Eric Reickel, Director of Lansing Parks and Recreation who introduced Mike Mazner, Deputy Director of the Michigan Recreation and Parks Association. Mr. Mazner thanked the City Parks and Recreation Department for hosting the 1992 Michigan Amateur Softball Tournaments. The softball facilities were excellent and the event was completely successful, he said. He presented a plaque commemo-

rating the event to Mr. Reickel.

C. Councilmember Belen invited representatives from the American Legion Post #460 to the podium to present a certificate of appreciation to Councilmember Schmidt for her efforts on behalf of the Veterans of the community. Councilmember Schmidt said that it is her pleasure to work with Veterans groups. Council President Crawford congratulated Councilmember Schmidt on her commendation.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Letter from Fred D. Johnson of 2572 W. Mt. Hope requesting that his petition to rezone 1100-1106 W. Ionia Street, Z-18-92, be withdrawn

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Z-22-92, 1100-1600 W. Ionia request to rezone from "B" Residential District to "C" Residential District

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Petition signed by 20% of the property owners in the area of 1101 N. Capitol requesting that Council pass Z-11-92, 1101 N. Capitol by a 2/3 majority vote rather than a simple majority

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Petition signed by 9 residents of the City requesting that City Council intervene to help resolve the issue of the legal status of "GNS Cable Channel 39" as a public access channel

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

E. Letter from Mary Black of 1600 Holly Way regarding the early retirement of Elected City Officials

RECEIVED AND PLACED ON FILE

F. Correction to the Ingham County Certification of Tax Rate Levy FY 1992

REFERRED TO THE MAYOR

G. Letter from 6 residents in the area of Parkview Avenue and E. Holmes Road requesting a traffic control sign be placed at the end of Holmes Rd. where it dead-ends into Poxson Park

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

H. Letter from the Bureau of History, State Historic Preservation Office urging the rehabilitation of the Shiawassee Street Bridge as a National Historic Place

REFERRED TO THE MAYOR

I. Application for Industrial Facilities Exemption Certificate filed by Lansing Sanitary Supply, Inc. of 1445 S. Washington Ave.

REFERRED TO THE MAYOR AND
THE COMMITTEE ON ECONOMIC DEVELOPMENT

J. Letter from Ronald P. Swenson, M.D., Internist requesting City Council support for Sparrow Hospital's Expansion proposal and rezoning request

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

K. Letter from Lloyd Teets 116 E. Elm regarding the Board of Water & Light's use of a fuel powered back-up electric generator system

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

L. Letter from Attorney's on behalf of the City of Lansing Finance Department and Public Service Department regarding publication of a notice of intent to issue bonds to fund Phase I—Segment 2 of the Combined Sewer Overflow Program (CSO)

RECEIVED AND PLACED ON FILE

MAYOR'S COMMENTS

Mayor McKane reviewed his letters on tonight's agenda. He responded to questions about the reason that Richard Putney left the City's employ. Mr. Putney's reasons had nothing to do with the early retirement program.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #651** December 14, 1992
President Crawford and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Lansing Liederkranz Club
PUBLIC DRIVER: Todd Laverne Dexterhouse, Paul H. Fisher

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of December 7, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk in response to concerns raised by Mrs. Dorothy D. Jones from the December 7, 1992 Agenda

RECEIVED AND PLACED ON FILE

C. Letter from Willard K. Walker, Chairperson of the Board of Police

Commissioners submitting the 1992 annual Lansing Police Department Police Board Evaluation Report

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

D. Letters from the Mayor re:

1. RESOLUTION #652

TO: Council President James Crawford and City Councilmembers
FROM: Terry J. McKane, Mayor

DATE: December 8, 1992

SUBJ: Request for Public Hearing Regarding 1030 E. Kalamazoo

The attached request for public hearing regarding the make safe/demolition of the above-named property is submitted with my concurrence for your review and appropriate action.

By Councilmember Schmidt

To accept the recommendations of the Mayor and Set a Public Hearing for Monday, January 25, 1993

Carried unanimously

2. Lansing Housing Commission Public Housing Management Assessment Program

RECEIVED AND PLACED ON FILE

3. Resignation of Floyd D. Wright from the Lansing Planning Board and Board of Zoning Appeals

RECEIVED AND PLACED ON FILE

4. Appointment of Dolores Maidlow to the Lansing Planning Board

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

5. Appointment of Helen LaBlanc to the Board of Zoning Appeals

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

6. Appointment of Vernon C. Fountain to the Board of Zoning Appeals

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

7. Reorganization Proposal for Lansing Police Department

**REFERRED TO THE COMMITTEE OF THE WHOLE,
THE COMMITTEE ON PUBLIC SAFETY, AND
THE COMMITTEE ON WAYS AND MEANS**

8. Willow-Pine Area Plan and Seven Block Area Development Plan

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

9. SLU-16-92, 224 W. North St.

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

10. Emmanuel First Evangelical Lutheran Church and School 1001 N. Capitol Avenue and Adjacent Properties

**REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT**

COMMITTEE REPORTS

RESOLUTION #653

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the informational report from the U. S. Conference of Mayors on "The Cable Television Protection and Competition Act of 1992,"

REPORTS AS FOLLOWS: The Committee received a briefing on the new law from Ron Onufer, the City's Cable Television Officer. The legislation creates new responsibilities for local cable franchising authorities such as the City of Lansing. Details of these responsibilities will not be known until the Federal Communications Commission promulgates several new rules on a variety of subjects, including regulation of basic cable rates. Mr. Onufer explained that the new law's definition of basic cable service requires, at a minimum, all local broadcast stations and all local public, educational, and governmental access channels. He said this definition encourages cable operators to "tier" their services so that satellite services such as CNN, ESPN, and WGN will be packaged as a separate, extra-cost option above basic service. The value of the new basic service will be set by the FCC as part of their required rule-making. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

December 14, 1992

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #654

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the final version of the Seven Block Area Development Plan, as recommended by the Mayor and Planning Board,

REPORTS AS FOLLOWS: The Committee is reviewing this large document for this major development project with intentions to report it to the Council in January 1993. The Committee requests all Councilmembers to read the development plan and familiarize themselves with the major issues, including proposed financing, over the next several weeks. This report is for information only, and no Council action is required.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #655

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the final version of the Seven Block Area Development Plan, as recommended by the Mayor and Planning Board,

REPORTS AS FOLLOWS: The Committee has been informed during discussion that the Planning Division staff will request a legal opinion from the City Attorney on certain matters contained in

the development plan. The Committee endorses the request for opinion and directs that the City Attorney work with the Planning Staff in order to have his written opinion completed and ready for discussion by the Committee during the third week of January, 1993. This report is for information only, and no Council action is required.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

December 14, 1992

BY COUNCILMEMBER CANADY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #656

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred Rezoning Petition Z-2-92, for property at the northwest corner of Waverly Road and Glenburne Boulevard,

REPORTS AS FOLLOWS: In late October, the Committee requested a written opinion from the City Attorney on matters pertaining to this rezoning. The Attorney attended the November 5 Committee meeting for discussion of these matters. The Committee reiterates its request for a written, detailed legal opinion on all matters discussed, including answers to the following questions:

1. Can the Council legally rezone just part of the property covered by the petition?
2. What impact would such an action have in relation to other rezonings in the area.
3. What conclusions do you draw from an analysis of court rulings in and around this area?

The Committee hereby directs the Attorney to attend the next Committee meeting on Thursday, December 17, 1992, prepared to present and discuss his written opinion on this matter.

Signed: Mark Canady
Lucile E. Belen
James A. Crawford

BY COUNCILMEMBER CANADY:

To amend the Committee Report to change the date of the Committee Meeting from December 17, 1992 to January 7, 1993 and accept the report as amended

Adopted by the following vote:

YEAS: 7

NAYS: 1

RESOLUTION #657

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Fiscal Year 91-92 City of Lansing Audited Financial Statements,

REPORTS AS FOLLOWS: The Committee met with a representative of the C.P.A. firm of Peat Marwick to review the findings of the 91-92 external audit. The Committee notes the following concerns involving the internal control structure and other operational matters:

1. Recommended that the City develop a comprehensive plan for monitoring subrecipients of federal financial assistance which provides for obtaining and reviewing single audit reports or performing appropriate compliance procedures in those cases where no single audit is performed. Consideration should also be given to including provisions in contracts with subdantees wherein they acknowledge responsibility for having the appropriate financial and federal audits performed.

2. Recommended that a monthly reconciliation of the general ledger for Bail Bonds, Garnishment Bonds, and Indemnity Bonds to the related detailed subsidiary ledger be performed.

3. Recommended that the City update the data processing disaster recovery plan. The City's plan has not been updated since 1987. This is a repeated recommendation from the prior year's management letter.

These concerns are hereby referred to the Mayor for review and remedial action.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

December 14, 1992.

RESOLUTIONS

RESOLUTION #658

BY COUNCILMEMBER LUCILE BELEN

WHEREAS, the Lansing City Council has established a Lansing Plant Rehabilitation District (IPR-1-79) on May 29, 1979 on property commonly known as: The Diamond Reo Property, and;

WHEREAS, Meelad A. and Janet E. Ellis on behalf of Lansing Sanitary Supply, Inc. have applied for an Industrial Facilities Exemption Certificate (IPR-3-92) on the construction of a new facility and the installation of new manufacturing equipment located within the established district on property at 1445 S. Washington Ave, Lansing, Michigan, more fully described on Attachment A; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on the application submitted by Meelad A. and Janet E. Ellis on behalf of Lansing Sanitary Supply, Inc.; and

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk give at least ten (10) days notice of a public hearing when all persons interested may attend and make any objections they may have to the approval of the Certificate; and

BE IT FURTHER RESOLVED, that the City Clerk notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Plant Rehabilitation District; and

BE IT FINALLY RESOLVED, that such hearing shall be held in the City Council Chambers, Tenth Floor, Lansing City Hall, Lansing, Michigan, on Monday, January 11, 1993 at 7:00 p.m. and that notice of such hearing be published in a publication of general

circulation of said City.

By Councilmember Belen

Carried unanimously

ATTACHMENT "A"

Commencing at East ¼ Corner, Section 21, T4N., R2W, City of Lansing, Ingham County, Michigan; thence S89°46'26"W, along the East-West 1/4 line of said Section 21, 2,490.64 feet to the Easterly, Right-of-Way line of Washington Avenue; thence S00°08'37"E, along said Easterly Right-of-Way line, 495.02, feet to the Point of Beginning of this description; thence N89°46'26"E, 265.00 feet; thence S00°08'37"E, 430.44 feet, to the Northerly Right-of-Way line of Baker Street; thence S89°54'49"W, along said Baker Street Right-of-Way line, 265.00 feet to, the Easterly Right-of-Way line of Washington Avenue; thence N00°08'37"W, along said Washington Avenue Right-of-Way line, 429.80 feet to the Point of Beginning. The above described land contains 2.617 acres.

RESOLUTION #659

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael Godfrey filed a claim against the City in the amount of \$404.00 in protest of a billing for a title search and board-up by the City of his residential building at 112 Isbell Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, the Committee determined that the claimant's building was discovered by a code compliance inspector to be open and accessible, creating a public nuisance, that the claimant had constructive notice of the problem but did not completely secure the building by the time of the reinspection, that the City crew assigned to secure the building discovered emaciated dogs locked inside rooms within the building and called Animal Control to remove the dogs prior to the board-up, and that the claimant said the dogs belonged to tenants; and

WHEREAS, the Committee recommends that under the circumstances of this particular claim, the City should offer to settle by removing the administrative service charge of \$190.00, as recommended by the Acting Chief Code Compliance Officer during the Committee's discussion;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to offer to settle the claim of Michael Godfrey by reducing the original \$404.00 nuisance fee billing to \$214.00; and

BE IT FURTHER RESOLVED if the claimant does not accept this offer to settle by 5:00 PM on Wednesday, December 30, 1992, this claim shall be considered denied; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #660

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Scott Day, representing First National Bank of Michigan, filed a claim against the City for \$4,331.00 in protest of several special assessments for weed cuttings by the City's contractor on vacant parcels in the Glenburne Subdivision now owned by the bank due to a foreclosure action; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee determined that the tall weed violations were written shortly before the properties changed ownership, that the City correctly followed the violation notice procedure in Chapter 1460 of the Code, that no action was taken to cut the tall grass and weeds within the compliance period, that the City's contractor performed the work and was paid by the City, and that the Bank is responsible for the special assessments as the current owner of the parcels; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Scott Day on behalf of First National Bank of Michigan; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #661

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Doris Shoening, Employee Relations Administrator, as Chief Negotiator for all labor contract negotiations scheduled to commence in December 1992 and January 1993, is hereby approved.

By Councilmember Ford

Adopted by the following Vote:

YEAS: Councilmembers Brockwell, Canady, Crawford, Ford, Schmidt

NAYS: Councilmembers Beal, Belen, Benavides

RESOLUTION #662

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, after a series of meetings and communications, the director of the Child Welfare Licensing Division of the State

Department of Social Services has notified the Mayor that a license will be issued for a child caring institution at 2132 Glencoe over the City's objections; and

WHEREAS, the Administration and the Committee on Physical Development have been working with Glencoe neighborhood residents to insure the State of Michigan knows that the City is firm in its resolve that such a facility not be located at the proposed address; and

WHEREAS, there now appears to be no alternative but to seek relief in court;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby finds that irreparable harm will be done to the neighborhood in the area of 2132 Glencoe if the State of Michigan licenses a child caring institution as proposed at that address; and

BE IT FURTHER RESOLVED the City Attorney is hereby directed to seek immediate injunctive relief in Circuit Court to stop this matter from proceeding further.

December 14, 1992

By Councilmember Canady

Carried unanimously

RESOLUTION #663

ACT-39-92

2500 E. MT. HOPE/FENNER ARBORETUM

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Fenner Arboretum Park borders the property at 2500 E. Mt. Hope on three sides and this property is privately owned; and

WHEREAS, the Arboretum is undergoing an update on the plans for its development and use and there is a need to protect the natural features, habitat and environment of the Arboretum for future generations; and

WHEREAS, the Planning Board and the Parks and Recreation Board have recommended that the Parks Department be authorized to obtain an option to purchase or a right-of-first refusal to purchase from the land owner as a measure to ensure future protection of the Arboretum; and

WHEREAS, the Physical Development Committee of City Council concurs with the recommendation of those Boards; and

NOW THEREFORE BE IT RESOLVED that the City Administration be authorized to obtain an option to purchase or a right-of-first refusal to purchase from the land owner at 2500 E. Mt. Hope.

By Councilmember Canady

Carried unanimously

RESOLUTION #664

COMMITTEE ON PHYSICAL DEVELOPMENT

LS-26-92

5600 South Washington Avenue

Southwest Corner Northrup/Washington Avenue

WHEREAS Warren Turner has requested to divide the 152 foot by

99 foot property located at 5600 South Washington Avenue into two lots for the development of an additional single family home; the corner lot being 71 feet by 99 feet deep and the interior lot on Northrup being 61 feet wide by 99 feet deep. The Lansing Subdivision Regulations require a depth of 100 feet; and

WHEREAS the Planning Board, at their meeting of November 17, 1992, reviewed this request and recommended approval; and

WHEREAS the Physical Development Committee of City Council concurs in the recommendation of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves of the lot division for property located on the southwest corner of Northrup Street and Washington Avenue known as 5600 South Washington Avenue and that this property be divided and described as follows:

PARCEL A (5600 South Washington Avenue)

The east 104 feet of the following described property. That part of the southeast $\frac{1}{4}$ of Section 5, T3N, R2W, City of Lansing, Ingham County, Michigan described as: Beginning at the east $\frac{1}{4}$ corner of said Section 5; thence south 89 degrees, 45' 00" west along the east/west $\frac{1}{4}$ line 165.00 feet; thence south 00 degrees 45' 54" east 132.00 feet; thence north 89 degrees 45' 00" east 165.00 feet to the east section line; thence north 00 degrees 45' 54" west along said section line 132.00 feet to the point of beginning, containing 0.5 acres +/-; subject to an easement over the north 33 feet for Northrup Street. Subject to an easement over the east 33 feet for Washington Avenue. Subject to any easements or restrictions of record.

PARCEL B

The west 61 feet of the following described property; that part of the southeast $\frac{1}{4}$ of Section 5, T3N, R2W, City of Lansing, Ingham County, Michigan, specifically described as: the east $\frac{1}{4}$ corner of said Section 5; thence south 89 degrees, 45' 00" west along the east/west $\frac{1}{4}$ line 165.00 feet; thence south 00 degrees 45' 54" east 132.00 feet; thence north 89 degrees 45' 00" east 165.00 feet to the east Section line; thence north 00 degrees 45' 54" west along said section line 132.00 feet to the point of beginning containing 0.5 acres +/- subject to an easement over the north 33 feet for Northrup Street subject to an easement over the east 33 feet for Washington Avenue subject to any easements or restrictions of record; and

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby, directed to notify the petitioner of this action. The applicant, however, stipulates and understands that the lot split as granted by the City of Lansing does not necessarily mean that the applicant may proceed with the division of the property. The applicant further understands that there may be some private restrictions contained in his deed or plat restriction which may or may not be recorded with the Register of Deeds, which may run with the land. The applicant further understands that the City does not have the power or authority over these restrictions.

By Councilmember Canady

Carried unanimously

RESOLUTION #665

COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-15-92

2613 Hillcrest Street

WHEREAS Joan DeRose, Resident Manager for the Colonial Townhouses Cooperative, Incorporated has requested approval of a special land use to construct an off street surface parking lot on property located at 2613 Hillcrest Street, more particularly described as:

The east 60 feet of Lot 205, Pleasant Subdivision No. 3, City of Lansing, Ingham County, Michigan; and

WHEREAS this proposed parking lot will provide for approximately thirteen (13) additional spaces for Colonial Townhouses Cooperative and will allow for overflow parking; and

WHEREAS the Planning Board, at their meeting of October 20, 1992, recommended approval of this request subject to conditions; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing approves a special land use for the property located at 2613 Hillcrest Street subject to the submission of a final site development plan which shall include a landscape screening and buffering plan, a drainage plan and identification of ingress and egress to the site.

In approving this request the City Council considered the following:

1. The proposed special land use will be constructed, operated and maintained in a manner harmonious with adjacent property and the surrounding use.

The site development plan on file takes into consideration setbacks for the off street parking that will complement the adjacent residential uses. The lot will be used in conjunction with, and will be an extension of, existing townhouse parking.

2. The proposed special land use should not change the essential character of the surrounding property. This is especially true if the development plans for the parking lot include adequate landscape screening and buffering and setbacks of the parking area that will complement the adjacent residential uses.

3. The proposed special land use should not interfere with the general enjoyment of the adjacent property providing landscape screening and buffering is installed and arrangement of the parking is consistent with the plan submitted.

4. The special land use will represent an improvement to the property and the surrounding area since it will give relief to some of the on street parking problems that now exist.

5. The proposed use of this property should not be hazardous to adjacent properties, nor will it involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6. The proposed use can be adequately served by essential public services and facilities.

7. The proposed use of this property for off street parking will not place demands on public services and facilities in excess of the

current capacity.

8. The proposed use of the property is consistent with the intent and purpose of the Zoning Code and the objectives of the Comprehensive Plan.

9. The proposed development of the site will meet dimensional requirements of the district in which the property is located.

By Councilmember Canady

Carried unanimously

RESOLUTION #666

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll B51, Public Service #45038, known as the 1991 Sidewalk Repair Contract #1. Whereas it is a matter of public necessity to repair sidewalk in front of and adjacent to, the properties described below:

PROPERTY BENEFITTED: All lands bounded by MARTIN LUTHER KING JR. BLVD./LOGAN ST., MT. HOPE AVE., OSBAND AVE., and the NEW YORK CENTRAL RAILROAD. Also, the South side of PACIFIC PARKWAY from RAY to GRANT. Excepting all public streets and alleys and other lands deemed not benefitted.

PROPERTY BENEFITTED: The South side of GREENLAWN AVE., between EATON ST. and WASHINGTON AVE. Also, SKYE RD. from GLASGOW to 150 feet North. Also, the West side of JOLLY CEDAR CT. from JOLLY RD. to the end. Excepting all public streets and alleys and other land deemed not benefitted.

ROLL B51—SIDEWALK

ESTIMATED COST:	\$46,351.90
ACTUAL COST:	\$45,049.30
DIFFERENCE:	\$1,302.60

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before March 15, 1993.

By Councilmember Canady

Carried unanimously

RESOLUTION #667

NOTICE OF INTENT RESOLUTION

City of Lansing

Counties of Ingham and Eaton, Michigan

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to construct certain Combined Sewer Overflow Control Improvements; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, ("Act 320") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the City Council of the City intends to authorize the issuance of limited tax general obligation bonds pursuant to Act 320 in one or more series in an aggregate amount not to exceed \$12,000,000, for the purpose of constructing a sanitary sewage equalization basin south of Harton Street at Charles Street and constructing sanitary sewers in Prospect Street, Hayford Street, Magnolia Avenue, and Fairview Street, and other improvements (the "Improvements") included in Phase I, Segment 2 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit; and

WHEREAS, notice of intent to issue bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, prior to issuance of each series of bonds the City must either receive prior approval of the bonds from the Michigan Department of Treasury or be exempt from prior approval as provided in Chapter III, Section II, of Act 202, Public Acts of Michigan, 1943, as amended.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a notice of intent to issue bonds to be published in the Lansing State Journal, a newspaper of general circulation in the City, as a display advertisement at least one-quarter page in size.

2. Said notice of intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS OF THE CITY OF LANSING OF INTENT TO ISSUE BONDS SECURED BY THE TAXING POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of limited tax general obligation bonds of the City, in one or more series, in an aggregate principal amount not to exceed Twelve Million (\$12,000,000) Dollars, pursuant to Act 320, Public Acts of Michigan, 1927, as amended, in order to comply with the Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 which requires construction of a sanitary sewage equalization basin south of Harton Street at Charles Street, construction of sanitary sewers in Prospect Street, Hayford Street, Magnolia Avenue, and Fairview Street, and other improvements included in Phase I, Segment 2 of the Combined Sewer Overflow Improvements Project Plan. Said bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at a rate to be determined at the time of sale of the bonds not to exceed the maximum rate permitted by law.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable primarily from the general funds of the City, including funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's Charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

THE BONDS will be issued without vote of the electors unless a PETITION requesting an election on the question of issuing the bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this notice. If such a petition is filed, the bonds cannot be issued without an approving vote by a majority of electors voting on the question.

THIS NOTICE is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this notice may be secured from the City Clerk's office.

James D. Blair, City Clerk

3. The City Council hereby determines that the foregoing form of notice of intent to issue bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the bonds.

4. Either the Finance Director or the Public Service Director be and are hereby authorized to request an exception from prior approval to issue bonds from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue an order granting prior approval to issue bonds, and to request any related waivers.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

By Councilmember Benavides

Carried unanimously

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing at a regular meeting held on December 14, 1992, at 7:00 p.m. prevailing Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting: Beal, Belen, Benavides, Brockwell, Canady, Crawford, Ford, Schmidt and that the following Members were absent: None.

I further certify that Member Benavides moved for adoption of said resolution and that Member supported said motion.

I further certify that the following Members voted for adoption of said resolution: Unanimous vote and that the following Members voted against adoption of said resolution: None

James D. Blair, City Clerk

RESOLUTION #668

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the regular City Council meetings scheduled for December 21 and December 28, 1992, are hereby cancelled; and

BE IT FURTHER RESOLVED the Clerk is hereby requested to reschedule all previously-approved public hearings from December 21, 1992, to January 4, 1993, and make appropriate notifications.

By Councilmember Canady

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Crawford, Ford

NAYS: Councilmembers Beal, Schmidt

RESOLUTION #669

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended allocation of \$293,325.00 in anticipated grant funds from the 1993 Outstate Equity program; and

WHEREAS, these allocation recommendations have been reviewed and approved by the Committee of the Whole;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Mayor's recommended allocations of 1993 Outstate Equity program grant funds as follows:

Parks and Recreation

Turner-Dodge House	\$30,000
Frances Park Woodland Garden	\$10,000
Cooley-Scott Garden	\$10,000
Capital Arboretum	\$ 8,325

Riverfest

Arts Agency operational support

Arts Council Center	\$28,225
Boarshead Theater	\$27,500
Riverwalk Theater	\$10,850
Gr. Lansing Symphony Orchestra	\$28,950
Impression 5 Science Museum	\$30,400
Lansing Art Gallery	\$16,650
Opera Company of Mid-Michigan	\$11,575
R. E. Olds Transportation Museum	\$10,850

Arts Agency capital development

Black Child and Family Institute	\$ 7,500
Hispanic Culture Center	\$ 7,000
Michigan Women's Hall of Fame	\$12,000
Lansing Concert Band	\$ 8,000
Garden Club/Scott Center	\$ 1,500

Friends of the River

Trail Watch Project	\$ 1,000
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Lansing Public Library

TOTAL **\$293,325**

By Councilmember Belen

To excuse Councilmember Benavides from the vote on Riverwalk

Theater and the Hispanic Culture Center, to excuse Councilmember Canady from the vote on the Greater Lansing Symphony Orchestra, and place an affirmative roll on the remaining allocations

Carried unanimously

By Councilmember Belen

To place an affirmative roll on the allocations for the Riverwalk Theater and the Hispanic Culture Center

Carried unanimously, Councilmember Benavides abstaining

By Councilmember Belen

To place an affirmative roll on the allocations for the Greater Lansing Symphony Orchestra

Carried unanimously Councilmember Canady abstaining

RESOLUTION #670

SUBSTITUTE RESOLUTION

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan has adopted a state statute approving a sale with certain restrictions to the City of Lansing property known as Fairview Park; and

WHEREAS, the original owner of the land desired to see it forever protected as a natural and recreation area and it was donated by him to the state with that condition, and it was the intent of the Legislature to sell the park to the City so that (1) the City would take responsibility regarding its care and maintenance and (2) the City would continue to preserve and protect it as a natural and recreation area; and

WHEREAS, upon review of the state legislation and the restrictions contained therein, the Mayor, Park Board and Director of Parks and Recreation have recommended the purchase of Fairview Park by the City, and Lansing Township has concurred in this recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Mayor to acquire for one dollar by quit claim deed the property known as Fairview Park, and legally described as:

All of that part of West 30 acres of SW 1/4 of Section 11, T4N, R2W, Township of Lansing, lying North of Franklin Avenue (now Grand River Avenue) except that portion conveyed by Act No. 166 of the Public Acts of 1972, described as: Commencing at a point at the intersection of East right of way line of Wood Street and North right of way line of Grand River Avenue, thence East along North line of Grand River Avenue 443.15 feet to a point 19 feet West of West right of way of Fairview Street, thence North parallel with Fairview Street 300 feet, thence East 19 feet to Fairview Street, North along Fairview Street 272.14 feet, thence West 462 feet more or less to East right of way of Wood Street, thence South along Wood Street 583.97 feet to beginning, containing 11.82 acres.

AND BE IT FURTHER RESOLVED the City Council declares the entire Park to be dedicated park land that shall only be used as a public park and recreation ground; and

BE IT FURTHER RESOLVED the City Council requests that the quit claim deed transmitting the property contain the provisions that (1)

the land is dedicated as park land and (2) it cannot be sold without prior permission from appropriate agencies or officials of the State of Michigan; and

BE IT FURTHER RESOLVED that if permission to sell this property shall ever be given by both (1) a vote of the People of Lansing and (2) the State of Michigan, any proceeds from the sale shall be deposited in the State Treasury and credited to the State general fund; and

BE IT FINALLY RESOLVED that a portion of the property may be used as a storm water retention basin provided such use does not interfere with the park's use as a recreation area and provided that the design of the storm water retention basin be subject to review and comment by City staff for compliance with City engineering and environmental standards prior to final approval by City Council.

By Councilmember Canady

To reconsider Resolution #636 adopted December 7, 1992

Carried unanimously

By Councilmember Canady

To substitute this Resolution for Resolution #636 adopted December 7, 1992 and place an affirmative roll on same

Carried unanimously

RESOLUTION #671

SUBSTITUTE RESOLUTION

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Drain Commissioner has indicated to the City of Lansing that he desires that a portion of the property known as Fairview Park be utilized as a storm water retention basin; and

WHEREAS, the Mayor, Public Service Director, and Director of Parks and Recreation have recommended approval of the concept that a portion of Fairview Park be used as a storm water retention basin, provided the storm water retention basin is built in a way which protects the environment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the concept of the utilization of a portion of the property known as Fairview Park as a storm water retention basin by the Ingham County Drain Commissioner, provided the storm water retention basin is built in a way which protects the environment; and

BE IT FURTHER RESOLVED the Mayor is requested to enter into negotiations with the Ingham County Drain Commissioner and Lansing Township regarding the utilization of the portion of the property known as Fairview Park as a storm water retention basin; and

BE IT FINALLY RESOLVED that any agreement with the Ingham County Drain Commissioner and Lansing Township regarding the utilization of a portion of Fairview Park as a storm water retention basin shall be subject to review and comment from appropriate City boards prior to submission to City Council for final approval.

By Councilmember Canady

To reconsider Resolution #637 adopted December 7, 1992

Carried unanimously

By Councilmember Canady

To substitute this Resolution for Resolution #637 adopted December 7, 1992 and place an affirmative roll on same

Carried unanimously

RESOLUTION #672

PUBLIC NOTICE TO ALL CITIZENS OF LANSING

Any Citizen of Lansing wishing to be considered for appointment by the City council to fill a vacancy in the position of At-Large Councilmember or the position of City Clerk, to complete terms that expire January 1, 1994, must send a cover letter and resume to:

Lansing City Council, 10th floor, City Hall
124 W. Michigan Ave., Lansing, MI 48933

Letters and resumes received at the Council Office after the deadline of 12:00 Noon on Thursday, January 7, 1993, will not be considered.

Applicants for appointment to elective office in Lansing must meet all of the qualifications and eligibility requirements established in Article 2, Chapter 1 of the City Charter:

1. Be a registered elector (that is, registered to vote).
2. Have continuous residency in Lansing for at least one year prior to taking office upon appointment.
2. For the past 20 years, have had no convictions for violations of any City, State or Federal election laws, nor a violation of a public trust, or any felony.
4. Not be in default to the City.

By Councilmember Canady

That City Council direct the City Clerk to publish this notice

Carried unanimously

RESOLUTION #673

BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Friendship Baptist Church is celebrating its 58th Church Anniversary, having been organized on December 10, 1934; and

WHEREAS, over the years, the Friendship Baptist Church has provided service to its membership and to the community in an exemplary manner; and

WHEREAS, the Church continues its services under the leadership of Reverend Lester D. Stone, living up to the Church motto, "A Church of Love Who Helps People" through the manner in which the pastor and the members involve themselves in issues that affect members and the community; and

WHEREAS, the leaders and members of The Friendship Baptist Church continue to make valuable contributions to the lives of people in this City;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby congratulates the pastor, officers, and members of The Friendship Baptist Church as they celebrate their 58th Church

Anniversary; and

BE IT FURTHER RESOLVED the Council expresses appreciation for the Church's contributions to the Capital City, and extends best wishes for the continued growth and success of The Friendship Baptist Church.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1. From Councilmember Brockwell a request that the Michigan Parks Association be allowed to make a presentation to the City of Lansing Parks & Recreation Department during Special Ceremonies

THE RULES WERE SUSPENDED AND MIKE MAZNER, DEPUTY DIRECTOR OF THE MICHIGAN PARKS AND RECREATION ASSOCIATION PRESENTED A PLACQUE TO R. ERIC REICKEL, DIRECTOR OF THE LANSING PARKS AND RECREATION DEPARTMENT UNDER THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2. From Councilmember Belen a request that the American Legion be allowed to make a presentation to Councilmember Schmidt during Special Ceremonies

THE RULES WERE SUSPENDED AND REPRESENTATIVES OF AMERICAN LEGION POST 460 PRESENTED A CERTIFICATE OF APPRECIATION TO COUNCILMEMBER SCHMIDT UNDER THE SPECIAL CEREMONIES PORTION OF THE AGENDA

3. From Councilmember Canady two substitute resolutions regarding Fairview Park

BY MOTION OF COUNCILMEMBER CANADY RESOLUTIONS #636 AND #637 ADOPTED DECEMBER 7, 1992 WERE RECONSIDERED AND REPLACED WITH SUBSTITUTE RESOLUTIONS #670 AND #671

4. From Councilmember Canady a Notice to the Citizens of Lansing about Vacancies in City Council and the City Clerk's Office

HANDLED AS RESOLUTION #672

5. From Councilmember Ford a Resolution of Tribute to Friendship Baptist Church

HANDLED AS RESOLUTION #673

6. From Councilmember Benavides a letter from Paul Hufnagel, President of Lansing Fire Fighters Local #421

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

TABLED ITEMS

BY THE COMMITTEE ON WAYS AND MEANS

Amendment to Part 2, Chapter 292, amending Sections 292.36 and 292.37, adding new Sections 292.38 and 292.39, and renumbering existing Sections 292.38-292.48 as Sections 292.40-292.50 providing for Pre-funding of Post-retirement Health Care, Employees Retirement System

By Councilmember Benavides

To remove this item from the table and refer it to the Committee on Ways and Means, the Committee of the Whole, and the Mayor's Office

Carried unanimously

MAYOR'S COMMENTS

Cleophus Boyd, Executive Assistant to Mayor McKane announced that this may be the last time he serves in this capacity with the Mayor. He described the political climate in Detroit, thanked the Mayor for showing him a different approach to Civil Service and wished him good luck in his retirement.

Mayor McKane announced that next week and the following week City Hall will be closed Thursday and Friday in observance of Christmas and New Years. The Green Bag and Recycling pickup routes will be picked up one day late for each of these two weeks. He said that this may be the last City Council Meeting that he attends. In his career in City Hall he has attended more than 1,000. He will continue in his position as Mayor until 5:00 Tuesday, December 29, 1992. He thanked his father for his loyalty in attending almost every Council meeting for nearly 22 years. He wished good luck to City employees and Happy Holidays to all.

COUNCILMEMBER'S COMMENTS

Councilmember Beal noted that the rezoning of property for Emanuel First Lutheran Church was referred to the Committee on Physical Development. She urged her fellow Councilmembers to take their time with this issue and not rush through it. Regarding development of the Civic Center parking lot site she said that whatever is constructed on the site must be a multiple purpose building. We do not need additional office space in this city. She will be watching very closely to see what goes on at this site and will oppose any office building. She asked for hard numbers regarding the cost versus the amount of savings to the City because of the Early Retirement Program. She asked Mayor McKane to respond. Mayor McKane asked that her request be put in written form so that he knows exactly what to respond to. She inquired as to the reasons that Mr. Putney left the City's employ. Mayor McKane responded that Mr. Putney had not discussed the reason with him, it was not relevant. She presented an article from the New York Times regarding a failed Early Retirement Plan. She stated that she wants changes in Lansing's Early Retirement Plan to eliminate the tie bar between Teamsters and Exempt/Elected Officials. She also wants a requirement that any new City employees must be City residents.

Councilmember Schmidt said that the City should take an active role in negotiations with General Motors and the Labor Unions to attract the agreement to build electric cars here in Lansing. She asked for a letter from Council indicating their willingness to work with Company and Labor representatives on this.

Councilmember Ford said that the concerns addressed in the

article circulated by Councilmember Beal were fully investigated by Council before they adopted the City's early retirement incentive. Maybe New York did not do their home work on this issue, but, Lansing did. He said goodbye to Mayor McKane and indicated that they have had a long association, Mayor McKane taught him at Pattengill Junior High School, Sexton High School, and later they served together as elected officials. Mayor McKane's oldest child was 4 months old when he was first elected to office, she is now a Senior in college. He commended the Mayor for the hours he has put in to put himself at the service of the City, especially, African American Communities and Churches.

Councilmember Brockwell wished Merry Christmas and Happy New Year to everyone. He urged everyone to spend the Holidays with friends and loved ones.

Councilmember Benavides thanked Mayor McKane for his service to the City and for the support he has given him over the years. If there is ever anything he can do for the Mayor please do not hesitate to call.

Councilmember Belen said that Mayor McKane has always been a sincere individual. He made a commitment to them to not fill any vacant positions without their approval, she hopes that President Crawford will honor that commitment when he takes office as Mayor.

Council President Crawford wished Mayor McKane well and thanked him, and his staff, for the help they have given him in his preparations for what is coming.

CITIZENS MAY COMMENT

Gerald Graves of 1623 S. Genessee Drive asked why the City is doing business with Heart of the City Associates and Joel Ferguson when Mr. Ferguson is in default to the City for over \$120,000 in tax dollars? He requested a copy of the City's file on Heart of the City.

William Bernstein of 420 Baker St. said that Mayor McKane and his administration could not have done what they did without Council's help. Including the help of Councilmember Beal. He complained about his friends and acquaintances being hauled out of Council Chambers that by rights belong to the public. He repeated his demands that they be given a time clock that is visible to public speakers.

Vern Letts of 730 Community, speaking on behalf of his wife, a former, part-time City employee. She was injured and lost her job. They cannot get an attorney to take their case. She has filed a Civil Rights Complaint against the City. Councilmember Ford said that he read through Mrs. Letts file and asked that City Attorney Knot give them an update on the case. Mr. Knot reported that the complaint, being handled by outside legal counsel, has been resolved successfully in favor of the City.

Doctor Willie Davis of 1136 Shepard a member of the Walsh Park coalition to maintain police protection in their neighborhood said their mission is to prevent drug use and sales. They need economic development in their neighborhood. He was told that someone from the City would contact him regarding these issues, but no contact was made. They are trying to improve their neighborhood, create jobs and protect their children. Possibly the creation of an enterprise zone could help.

Jace Williams of 723 Shiawassee thanked Mayor McKane for going a far and inclusive Mayor. He hopes that Crawford will carry this tradition on. He was happy when Mr. Boyd was appointed as the Mayor's Executive Assistant. He felt that this showed that the Mayor cared about everyone in the community. He wished good luck to the Mayor.

Del Maynard of 2017 Culver asked for an explanation of how the retirement of the Mayor and City Clerk meet the two stipulations in Resolution #201. They will not reduce the work force, nor, save the City money. How are they eligible to participate in this offer when the criteria is not met by their participation.

Wendy Vella of 1000 Parker asked that Council have the Building Safety Division enforce more code violations in her area. She stated her opposition to the Mayor and City Clerk being eligible for the early retirement incentive.

Donna Collins of 225 Moores River Drive reviewed the adoption and revision of the Retirement System Ordinance over the last seven years.

Dorothy Jones of 426 W. Barnes Avenue continued with Mrs. Collins review of the retirement ordinance.

Richard Collins of 225 Moores River Drive finished the review of the Retirement System Ordinance and said that Mrs. Lazar and Mr. Duarte have designed and worked on this retirement system for the last 7 years and the City will be paying for it for years to come. It will be financed on the backs of every new hire that the city makes.

Mark Eggleston of 4001 Heathgate spoke in opposition to early retirement being offered to the Mayor and the City Clerk.

Ahmad Cheraka of 902 Willow St. spoke out against racism in the city. Black's are not hired to management positions. Local area businesses have employees who are insulting to blacks. There is not a Quality Dairy in the city owned by a black person. His brother was recently involved in a confrontation with police at the Q.D. on Pennsylvania and Kalamazoo because of mistaken identity.

Lloyd Teets of 116 E. Elm St. wished everyone a Merry Christmas. He said Council gave a gift to the early retirees and to the public. They gave the retirees a gold mine, they gave the public the shaft. He reminded everyone that they will experience a 4.5% rate increase from the Board of Water and Light on January 1, 1993, and another increase in January 1994. He asked that the letter he wrote to Council be referred to the Committee on the Future of the Board of Water & Light. He predicted that Mayor McKane would accept a position with the Lansing School District as Associate Superintendent of Schools. He also predicted that when Mayor McKane retires from the Lansing School District, his combined retirement income will be in excess of \$100,000 per year.

Richard Lott of 1107 N. Capitol told Councilmembers he has submitted a corrected petition for their packet in reference to the rezoning of 1001 N. Capitol.

Ken Vaughan of 114 Garden Street asked why resolution #201 exempted District Court if it could not identify positions that will be filled or not filled.

Tom Shields of 1118 Riley asked if the City has acquired property at the Northwest corner of Cedar St. and Michigan Avenue? Council President Crawford said not yet, but, we are going to. It is in

Court. He asked if the city owns the emergency vehicles that are operated by the paramedics. If so, why do residents have to pay twice? He theorized that it is because we now have two attorneys on City Council and they are too used to using the word fees. He commended Councilmember's Belen, Schmidt, and Beal.

Leon Hilton of 631 Edison testified to the validity of the information regarding statements made by Mrs. Lazar during their arbitration meetings. He said their bargaining unit has been told that Council will not ratify any agreement with them that does not contain health care concessions, this is a third class health care system with horrendous deductions. They are stripping retirees and people just making a living wage at the same time they endorse a retirement program put together by exempt and elected employees.

Max Kirshun of 412 W. Ottawa declared himself to be one of the silent majority. He knew nothing about the terms of the retirement program until today when he got a copy of the formula. This is an incredibly generous plan. It is set up to benefit the shorter term employee more than the longer term employee. It looks as if it was tailored to certain employees, and that is suspicious.

Harold Leeman of 529 North Francis spoke in regards to the issue of a Thunderbird purchased for the Mayor's Executive Assistant. The purchasing ordinance, he said, is not the issue. The issue is that there are a lot of retirees and Mr. Boyd could have been assigned any one of their vehicles. He criticized City Clerk Blair for not running his office properly, and for accepting the early retirement deal. He will eventually command more respect for his work on the Rivertrail than for his work as City Clerk. He reviewed events of the past ten years with Mayor McKane and chastised the Mayor for being too soft on City employees who golf and go to bars on City time.

Gary Andrews of 560 Brookland Blvd. accused Council of abridging and usurping the rights of the citizenry. They should be glad that the public does not take away their positions of power. Now is the time for change.

Douglas Fairbanks of 107 May St. said these are tough times, but we have a tough Council that keeps going on. Anyone who has sense would take this retirement, he said.

Gerald Huckaba of 5460 S. Waverly Road said he hates to see the Mayor leave office. For 17 years the Mayor has been trying to put him out of business. He could retire now at about \$400.00 per month, but, it would be money he earned honestly. Tax payers will be paying for the Mayor's retirement for years, and we are not saving any money or, getting any return on it.

Gerald J. Huckaba, Jr. of 5410 S. Waverly Road said the Mayor did a good job of setting it up so that the younger generation has to pay for the rest of their lives.

ADJOURNED 10:35 P.M.

JAMES D. BLAIR, CITY CLERK